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Generic Impact Statement Public Meeting

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Pages 1-105

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1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

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4 WASTE CONFIDENCE PROPOSED RULE AND DRAFT GENERIC

5 ENVIRONMENTAL IMPACT STATEMENT PUBLIC MEETING

6 + + + + +

7 THURSDAY

8 NOVEMBER 14, 2013

9 + + + + +

10 The Waste Confidence Public Meeting met
11 in First Floor Commission Hearing Room, 11555
12 Rockville Pike, Rockville, Maryland, at 2:00 p.m.,
13 Chip Cameron, Co-Facilitator, presiding.

14
15 PRESENT

16 CHIP CAMERON, Co-Facilitator

17 MIRIAM JUCKETT, Co-Facilitator

18 CARRIE SAFFORD, Deputy Director of the Waste

19 Confidence Directorate

20 TISON CAMPBELL, Office of General Counsel

21 SHELDON CLARK, Office of General Counsel

22 ANDY IMBODEN, Chief of Communications and Rulemaking

23 Branch, Waste Confidence Directorate

24 SARAH LOPAS, NEPA Communication Project Manager,

25 Waste

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Confidence Directorate

PAUL MICHALAK, Chief of Environmental Impact
Statement

Branch

KEITH MCCONNELL, Director of the Waste Confidence
Directorate

SARAH PRICE, Office of General Counsel

T.R. ROWE, Waste Confidence Directorate Staff

SUSAN WITTICK, Waste Confidence Directorate Staff

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T A B L E O F C O N T E N T S

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7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PAGE

I. Meeting Welcome and Ground Rules

Chip Cameron..... 6

II. Opening Remarks

Chip Cameron..... 6

III. NRC Staff Presentations

Carrie Safford 13

Paul Michalak 15

IV. Public Comments

Ben Husch, National Conference of State
Legislators 21

Diane D'Arrigo, Nuclear Information and
Resource Service 23

Erica Gray 26

Mike Callahan, Decommissioning Plant
Coalition 29

Don Leichtling 31

Marvin Lewis 33

Lou Zeller, Blue Ridge Environmental
Defense League 36

Jenny Vince, Clean and Safe Energy
Coalition 38

Linda Lewison, Sierra Club Nuclear Free
Campaign 40

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11
12
13
14
15
16
17
18
19
20
21
22
23
24
25T A B L E O F C O N T E N T S (Con't.)PAGE

Nathan Bennett, North American Young Generation in Nuclear	43
Gwen DuBois, M.D., M.P.H., Chesapeake Physicians for Social Responsibility and Crabshell Alliance	46
Katrina McMurrian, Nuclear Waste Strategy Organization	49
David O'Leary, Maryland Chapter of Sierra Club	51
Ellen Ginsberg, Nuclear Energy Institute	53
Regina Minniss, Crabshell Alliance	56
Susan Michetti, Sierra Club's John Muir Chapter of Wisconsin	59
Jane Dugdale	61
Brad Karbowsky, United Association of Plumbers and Fitters	66
Rod McCullum, Nuclear Energy Institute	67
Evan Lapiska, Clean and Safe Energy Coalition	71
Diego Garcia	73
Allison Fisher, Public Citizen's Energy Program	76

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22
23
24
25

T A B L E O F C O N T E N T S (Con't.)

	<u>PAGE</u>
Lorraine Ruppe	78
Chuck McCune, Prizm Foundation	81
Gail Snyder, Broad of Nuclear Energy Service	85
Steven Sondheim, Sierra Club Nuclear Free Campaign	88
Doug Gerleman	89
Mark Leyse	90
Ace Hoffman	93
Dagmar Fabihn, Crabshell Alliance of Greater Baltimore, Maryland	97
Mary Brooke Sunderland	99
Kevin Kamps	100
V. Closing	105

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P R O C E E D I N G S

(2:02 p.m.)

1
2
3
4
5 MR. CAMERON: I just wanted to welcome
6 all of you to the public meeting this afternoon. And
7 the topic of the meeting is the Draft Environmental
8 Impact Statement and Proposed Rule that the Nuclear
9 Regulatory Commission staff has prepared on the topic
10 of Waste Confidence. And it is, as usual, my
11 pleasure to serve as your facilitator for the meeting
12 today. And I am going to be assisted by Miriam
13 Juckett, who is from the Center for Nuclear Waste
14 Regulatory Analyses in San Antonio, Texas. And
15 Miriam and I have been co-facilitating the meetings
16 on this topic around the country. And we will try to
17 help all of you to have a productive meeting today in
18 our role as facilitators.

19 I just want to say a few words on
20 process before we get to the substance of the meeting
21 today. And the purpose of the meeting is to give all
22 of you -- and not only people in the audience but we
23 have people on the phones who are listening and who
24 may be speaking -- give all of you an opportunity to
25 tell the NRC staff what your comments or

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1 recommendations are on the Draft Environmental Impact
2 Statement and Proposed Rule and then the staff will
3 carefully consider and evaluate what they hear today
4 in preparing the final Draft Environmental Impact
5 Statement.

6 This is our second meeting at NRC
7 Headquarters. And we have had several regional
8 meetings around the country and there is more to
9 come: two next week in California and then a meeting
10 in Toledo and a meeting in Minneapolis. And we have
11 tried to accommodate all the people who have asked us
12 to have a meeting in their region. And even though
13 we have been out on the road a lot, we haven't been
14 able to go to every place that people have wanted us
15 to go.

16 So, this meeting, we are providing an
17 opportunity for people on the phone to call in. And
18 we are going to try to give some priority to people
19 from those regions that we haven't been able to go
20 to. But we are going to try to get to all of you in
21 the room and to all the people on the phone before we
22 adjourn today.

23 I should note that there is another,
24 final, meeting on December 9th, which is a call-in-
25 only meeting. So that will be another opportunity

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1 for people to express their opinion on Waste
2 Confidence.

3 In terms of ground rules, first I would
4 ask you to sign up to speak, if you want to speak.
5 And a lot of people have preregistered either in the
6 audience or on the phones. And Jessie, one of the
7 NRC Waste Confidence staff is out at the table. And
8 if you haven't seen her and you want to speak, just
9 please go out and tell her that you want an
10 opportunity to speak today.

11 And for those of you on the phone, if
12 you hit *1, then you are going to go into the queue
13 and we will have a list of you on the phone and we
14 will go to you to speak. And we are going to be
15 switching back and forth between the audience here in
16 Rockville and the people on the phones.

17 And what I will do is I will call your
18 name, I will call a couple of names in advance, so
19 that you will know where you are to speak. And when
20 it is your turn to speak, for those of you in the
21 audience, please come up to the podium and introduce
22 yourself to us. And for those of you on the phone, I
23 will call your name and then Mary, our operator, will
24 patch you through to us here in Rockville.

25 Second ground rule is, I am going to

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1 have to ask all of you to be very brief in your
2 comments today and I am asking you to follow a three-
3 minute time limit. And I know that is a short period
4 of time and I apologize in advance if I have to ask
5 you to wrap up because I know you spend time on your
6 comments.

7 We do have some assistance for you, at
8 least for those of you who are in the room today, we
9 have Pat LaPlante right here from the Center from
10 Nuclear Waste Regulatory Analyses. And he is going
11 to give you some help by holding up a sign that tells
12 you when you have one minute left. And it is not
13 going to be a hard three minutes. We will let you
14 finish what you are talking about but we do need to
15 try to keep people to three minutes, so that we can
16 hear from everybody today who wants to comment.

17 And fortunately, there is ways that you
18 can amplify on your comments and you can speak today
19 and you can submit a written comment and you can
20 amplify on your three minutes in that written
21 comment.

22 I mentioned the call-in meeting that is
23 on December 9th. We have regional meetings that I
24 mentioned that if they are convenient for you, you
25 can come to those meetings.

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1 And we do also have something called an
2 NRC Public Meeting Feedback Form. And this is to
3 give the NRC an idea of what you thought of a
4 particular public meeting, so that we can try to
5 improve on our public meetings. But you can also use
6 this form to write a comment on the Draft
7 Environmental Impact Statement or the Proposed Rule.
8 And you can either leave it with us today or it is
9 already stamped. You can take it home and fill it
10 out and just put it in the mail to us.

11 One thing to note is that the NRC staff
12 is here listening to what you are saying but they are
13 not going to be responding to what you say today.
14 They are going to listen carefully and carefully
15 consider and evaluate any comments that they heard
16 today or any questions you might pose when you are
17 making that comment. And that will be reflected in
18 the Final Environmental Impact Statement.

19 We are going to have two brief NRC staff
20 presentations for you and then we are going to go on
21 to you for comment. We do want to make sure that you
22 understand the process for submitting comments to the
23 NRC. So, we will have time, a few minutes, for
24 questions about that comment process to make sure
25 that everybody understands that.

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1 If you have a technical or a question on
2 a technical issue or on a legal issue, we do have
3 staff experts over in the open house area, which is
4 in the other building, the second building. They
5 will be there for the duration of this meeting. And
6 if you hear something, you think about something, you
7 have a question, please go over there and talk to one
8 of those people.

9 And for those of you on the phone, if
10 you do have that type of questions, Sarah Lopas, who
11 is here in the room, I am going to give you her phone
12 number and you can call her. Obviously, she is not
13 going to be taking phone calls in the meeting. She
14 is here in the entire meeting with us. But, if you
15 do have a question, please call Sarah at 301-287-0675
16 and she will try to get you to the right person to
17 answer your question.

18 And I should note that if you do go over
19 during the meeting to talk to people over there in
20 the open house area or if you call Sarah, those
21 questions or discussions that you have, they are not
22 going to be on the formal record. So, if you want
23 that particular point on the record, you have to put
24 that in your comments.

25 And we usually have a stenographer here

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1 with us in person. Our stenographer today is tuning
2 in by phone but we are taking a transcript. And that
3 will be your record of the meeting and it will be the
4 NRC's record of the meeting. That is one reason why
5 I would just ask you that only one person at a time
6 speak. I don't think -- it is usually not a problem
7 in Rockville. Sometimes it is a problem in a region
8 where people are enthusiastic and want to just talk.
9 But we want to give our full attention to whomever
10 has the floor at the moment and we want to make sure
11 that the stenographer knows who is speaking, so that
12 can be reflected in the transcript.

13 And with that, let me introduce the NRC
14 -- some of the NRC staff to you. We have a lot of
15 NRC staff here but I want to introduce some of the
16 Waste Confidence Directorate staff.

17 I am going to introduce the speakers
18 first. And that is Carrie, Carrie Safford. And she
19 is the Deputy Director of the Waste Confidence
20 Directorate.

21 Our second speaker today is Paul
22 Michalak and he is the Chief of the Environmental
23 Impact Statement Branch and that is where the
24 technical analysis within the EIS gets done.

25 We have Keith McConnell with us. He is

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1 the Director of the Waste Confidence Director.

2 And we also have Andy Imboden and he is
3 the Chief of the Communications, Planning, and
4 Rulemaking Branch.

5 We also have two of our attorneys from
6 the Office of General Counsel, two of the NRC's
7 attorneys. We have Tison Campbell, who is right
8 here, and we also have Sheldon Clark who is here.

9 And with that, I just would thank all of
10 you here in the room and on the phones for joining us
11 today. And we are going to go to Carrie now and then
12 to Paul, and then we will see if there is any
13 questions, and then we will get to the comment
14 period. Thank you.

15 MS. SAFFORD: Thanks, Chip. Good
16 afternoon and welcome. My name is Carrie Safford and
17 I am the Deputy Director of the West Confidence
18 Directorate here at the NRC. Thank you for coming
19 out today and participating in our meeting.

20 I want to start off with just a few
21 general comments about our rulemaking process at the
22 NRC. Writing regulations is one of the most
23 important things that we do here at the Agency.
24 Regulations are our vehicle for implementing
25 international and national policy and for achieving

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1 the NRC's goals of maintaining public health and
2 safety and security and protection of the
3 environment. It is an extremely important activity.

4 As Chip mentioned, the purpose of
5 today's meeting is to obtain your comments on the
6 draft Generic Environmental Impact Statement and
7 Proposed Rule. For the past year, the Directorate
8 has been involved in an effort to assess the
9 environmental impacts of continued storage of spent
10 fuel beyond the reactor's licensed life for
11 operation. The draft Generic Environmental Impact
12 Statement and Proposed Rule are the results of that
13 effort. We have strived to provide an open and
14 transparent process throughout. And now today, we
15 look forward to hearing your comments.

16 I also want to point out that in the
17 Proposed Rule, there are specific areas that the NRC
18 Commissioners have asked for your response on. Your
19 feedback in these areas and other areas will help us
20 improve the final documents that are sent to the
21 Commission and provide valuable input during the
22 Commission's deliberations on the Final Rule and
23 Generic Environmental Impact Statement.

24 And, finally, there is a few points that
25 I want to mention that Chip alluded to on the revised

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1 schedule of meetings coming up. We had to reschedule
2 a number of our regional public meetings. All of the
3 meetings have now been re-noticed and the remaining
4 schedule is as follows: Carlsbad, California on
5 November 18th; San Luis Obispo, California on
6 November 20th; Perrysburg, Ohio on December 2nd; and
7 Minnetonka, Minnesota on December 4th. And again, as
8 Chip mentioned, the new meeting at the
9 teleconference-only meeting that will be held from
10 1:00 to 4:00 p.m. on December 9th.

11 In light of this new meeting schedule,
12 the deadline for submitting public comments has been
13 extended to December 20th. The dates, locations, and
14 times for all of these meetings have been noticed in
15 the *Federal Register*, through our website, and
16 notices have also gone out on the Waste Confidence
17 outreach or email distribution list.

18 So once again, thank you. Welcome to
19 this afternoon's meeting and we look forward to
20 hearing your comments.

21 MR. MICHALAK: Good afternoon. I would
22 like to add to Carrie's welcome and thank you for
23 participating today. My name is Paul Michalak and I
24 am the Branch Chief of the Environmental Impact
25 Statement Branch in the Waste Confidence Directorate.

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1 At today's meeting, I will give a brief
2 history of Waste Confidence, outlining key aspects of
3 the draft Generic Environmental Impact Statement and
4 Proposed Rule and explain how you can comment on
5 these documents. Then, we will get to the public
6 comment portion, which is the heart of the meeting.

7 Waste Confidence accomplishes two
8 things. It generically addresses the environmental
9 impacts of continued storage and makes a
10 determination about the feasibility of safe storage
11 and a time frame for repository availability.

12 The draft Generic Environmental Impact
13 Statement for Waste Confidence satisfies part of the
14 Commission's obligations for the National
15 Environmental Policy Act for reactor licensing and
16 relicensing and the licensing and relicensing of
17 spent fuel storage facilities.

18 The Draft Environmental Impact Statement
19 also serves as the regulatory basis to support the
20 proposed Waste Confidence Rule. The Environmental
21 Impact Statement and Proposed Rule only cover the
22 time frame after the license life for reactor
23 operation. However, it is important to note that the
24 Proposed Rule on Waste Confidence does not license
25 any particular site or facility, nor does it allow

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1 for long-term storage of spent nuclear fuel at any
2 site.

3 The NRC's history with Waste Confidence
4 started when the Commission issued the Rule back in
5 1984. Since then, the Rule has been updated, most
6 recently in 2010. In 2012, the Rule was challenged
7 and the Court of Appeals for the D.C. Circuit vacated
8 the 2010 Rule. The Court identified three
9 deficiencies within the Commission's Environmental
10 Analysis to support the 2010 Waste Confidence Rule.

11 The Court found that the analysis didn't
12 evaluate the environmental effects of failing to
13 secure permanent disposal of spent nuclear fuel. It
14 also directed the Commission to provide a forward-
15 looking analysis of spent fuel pool leaks and the
16 environmental consequences of spent fuel pool fires.

17 The Court did conclude that a generic
18 approach, either with an environmental assessment or
19 an environmental impact statement would appropriately
20 address the issues associated with Waste Confidence.

21 Following the Court's decision, the
22 Commission directed the staff to prepare an
23 Environmental Impact Statement, evaluating these
24 issues with the possibility of issuing an updated
25 Waste Confidence Rule.

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1 There are two things that I would like
2 you to remember. The first is that Waste Confidence
3 is just a small part of the overall environmental
4 analysis for reactor or storage facility licensing or
5 relicensing. Secondly, the Waste Confidence Rule
6 does not license any facility or authorize storage
7 after the expiration of a facility's license.

8 The Draft Statement describes the
9 impacts of continuing to store spent nuclear fuel
10 beyond the license life for operation of a reactor,
11 whether in a spent fuel pool or at an independent
12 spent fuel storage installation, located at both
13 reactor and away from reactor sites.

14 The Draft Statement describes why we are
15 revisiting Waste Confidence. It discusses the
16 alternatives considered. It describes how
17 environmental impacts were evaluated. It describes
18 what facilities are covered and the environmental
19 impacts of continued storage at reactor sites and
20 away from reactor sites. It also contains
21 information on the cost of the alternatives to the
22 rulemaking. It describes the cumulative
23 environmental impacts of continued storage and it
24 contains information on the feasibility of a
25 repository and the feasibility of safe storage of

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1 spent fuel.

2 The Draft Statement assessed impacts of
3 continued fuel storage for three time frames, based
4 on when a repository would become available. There
5 is a short-term time frame, or 60 years beyond the
6 licensed life for operation of a reactor; then there
7 is a long-term time frame, 100 years beyond the
8 short-term or 160 years; and an indefinite storage
9 time frame where no repository becomes available.

10 The Draft Statement serves as the
11 regulatory basis for the Proposed Rule. The Proposed
12 Rule, which generically addresses the environmental
13 impacts of continued storage -- these impacts would
14 not be revisited in future site-specific licensing
15 proceedings, unless the NRC discovers something about
16 that site that would make the application of the
17 conclusions in the Environmental Impact Statement
18 inappropriate.

19 The Proposed Rule would revise the
20 Nuclear Regulatory Commission's regulations,
21 specifically the citation is Title 10 of the Code of
22 Federal Regulations Section 51.23. The Proposed Rule
23 also states that the analysis supports the
24 Commission's determination that it is feasible to
25 safely store spent nuclear fuel following the

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1 licensed life or operation of a reactor. It also
2 states that it is feasible to have a mined geologic
3 repository within 60 years following the licensed
4 life for operation of a reactor. We are specifically
5 seeking comment on whether the Final Rule should
6 contain these last two statements.

7 To ensure that your comments are
8 considered, they must be received by December 20,
9 2013. Mailed comments must be postmarked by December
10 20th. All comments, whether submitted in writing or
11 provided orally, are considered equally.

12 Of course we are here today so that you
13 can tell us your comments on the Generic
14 Environmental Impact Statement and Proposed Rule.
15 Today's comments are being transcribed and will be
16 considered part of the record. You can also leave
17 your comments with the NRC staff located at the
18 registration table and we will make sure that those
19 comments are added to the docket. You may also
20 email, fax, or mail your comments to the NRC. You
21 may also provide comments using the Federal
22 eRulmaking site, www.regulations.gov.

23 That concludes my presentation and I
24 will turn the mic back over to Chip.

25 MR. CAMERON: Thank you very much, Paul

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1 and thank you, Carrie.

2 And I want to make sure that we
3 introduce some other key Waste Confidence staff and
4 these are the people who really make the whole
5 operation run and the meetings run. And that is T.R.
6 Rowe, who is right here, and Susan Wittick. So,
7 thank you. Thank you very much.

8 Before we get to the comments, does
9 anybody have a question or need any clarity about how
10 comments are submitted to the NRC on this?

11 Okay, let's go to our speakers in the
12 room. And for those of you on the phone, if you want
13 to speak, please hit *1 on your phone. We are going
14 to go five or six people here in Rockville and then
15 we are going to go to some of you on the phone.

16 And I am going to call a few names. The
17 first speaker, Marshall Hallock, and Gene Solt, Ben
18 Husch, Diane D'Arrigo, Erica Gray, and Michael
19 Callahan.

20 So, is Marshall here? Okay, well, those
21 of you who know Marshall, if he does come in, let me
22 know and we will go back to him. How about Gene,
23 Gene Solt?

24 Ben? Ben Husch. Ben, come on up and
25 introduce yourself to us and then we are going to go

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1 to Diane and Erica, and Mike. Yes, please.

2 MR. HUSCH: Thank you. I wasn't
3 expecting to go first.

4 Good afternoon. My name is Ben Husch
5 from the National Conference of State Legislators,
6 what we refer to as NCSL. I would like to thank the
7 NRC for hosting this public meeting and providing an
8 opportunity for comment.

9 NCSL represents the legislators of all
10 50 states, Washington, D.C., and the territories,
11 which includes over 7,000 state-elected officials and
12 over 33,000 professional staff.

13 NCSL believes that nuclear energy is an
14 integral part of our national energy plan and must
15 continue to generate an essential share of the
16 nation's clean energy, zero-carbon baseload
17 electricity. However, we also recognize the need to
18 address the transportation, storage, and disposal of
19 used nuclear fuel. The issue of developing a
20 solution to the safe and secure storage of high-level
21 radioactive waste and used nuclear fuel is of great
22 importance. NCLS supports Federal action to develop
23 consolidated interim storage facilities to
24 temporarily house high-level radioactive waste
25 inventories until a permanent repository is

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1 operational.

2 We urge the Nuclear Regulatory
3 Commission to continue providing strong, independent
4 oversight of all commercial nuclear plant operations,
5 including plant licensing for new reactors and
6 license extensions for operating reactors and in used
7 fuel and radioactive waste management,
8 transportation, and disposal.

9 Given the above, we believe it is
10 important for the NRC to continue its efforts and to
11 maintain its current schedule for Waste Confidence
12 proceedings, so that progress on both plant licensing
13 and used fuel management can continue.

14 Again, thank you to the NRC for hosting
15 this public meeting and providing the opportunity for
16 comments.

17 MR. CAMERON: Thank you. Thank you very
18 much, Ben.

19 And next we are going to go to Diane
20 D'Arrigo, and then Erica Gray, and then Mike
21 Callahan. This is Diane D'Arrigo.

22 MS. D'ARRIGO: Hi, I am Diane D'Arrigo,
23 Nuclear Information and Resource Service. I
24 appreciate that there are hearings, but there really
25 are places that wanted hearings that didn't get them.

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1 I'm sure you have heard this before, but you did say
2 that you thought you had accommodated and a lot of
3 people feel like they haven't been.

4 I think we are in a situation right now
5 that actually reflects reality. Since I have been
6 tracking the nuclear waste issue in the last '70s,
7 this is the first time that we have had an
8 acknowledgment that there really is no real
9 confidence, that there is no real justification for
10 the creation of high-level radioactive waste.
11 Irradiated fuel is one of the most dangerous,
12 potentially the most dangerous, material that humans
13 have created. And to completely rubber stamp and
14 ignore impacts, which is what the NRC has done in the
15 past and is doing, is unacceptable and it is allowing
16 continued poisoning of our planet.

17 The Court ruled correctly that NRC did
18 not justify its waste confidence, which is, in a
19 sense, allowing more nuclear waste to be created. It
20 withdrew that confidence. It said no more should be
21 created, unless you can really guarantee that it can
22 be taken care of, or at least have confidence that
23 the environmental impacts will not be significant.

24 There is no way that we, in 2013, can
25 say that we know in 3013 that the enormous amount of

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1 long-lasting radioactive waste that is being
2 generated won't have an environmental impact. It
3 simply defies logic, it defies morality and it is
4 legally -- the document is legally inadequate to
5 justify reinstating confidence.

6 The NRC is supposed to show in this
7 process that it will never have an impact for 60,
8 160, or virtually forever. Yet, you don't even know
9 the impacts that it is having now. There is not
10 adequate monitoring. There is not adequate
11 understanding of the high burn-up fuel that has now,
12 we are hearing, half of the inventory this high burn-
13 up fuel, fuel with more radioactivity has to be
14 cooled longer in the pools. It is not an integral
15 part of the analysis that we have done, even though
16 it is an integral part that we'll continue to
17 generate, so the high burn-up fuel is not adequately
18 addressed in the Environmental Impact Statement.

19 The Impact Statement doesn't adequately
20 address the real consequences and impacts on other
21 organisms, in addition to humans. It is my
22 understanding that you have looked at whether levels,
23 legal release levels, which are based on the Nuclear
24 Regulatory Commission's own -- the nuclear industry's
25 needs. That is how they base 10 CFR 20

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1 concentrations. That if you can make a model and a
2 calculation that projects that doses to people will
3 be less than this amount, never verified, never
4 proven, that this is okay for the entire environment
5 and that that is dismissed.

6 So, in addition to the dangers of a fuel

7 --

8 MR. CAMERON: Wrap up for us.

9 MS. D'ARRIGO: Okay.

10 MR. CAMERON: Thank you.

11 MS. D'ARRIGO: In addition to the
12 dangers of a fuel fire, which are not adequately
13 addressed -- they are simply documented and then
14 dismissed by saying it is low probability -- that the
15 radiation effects from routine operations, from
16 routine release, and through routine management of
17 fuel, as well as from the long-term or the more
18 devastating impacts from accidents, are not fully,
19 adequately being assessed. And this looks like a
20 rubber stamping saying that there is low impacts
21 when, in fact, we don't really know, and more likely,
22 there will be.

23 MR. CAMERON: Okay.

24 MS. D'ARRIGO: So, our conclusion is
25 that the NRC should not proceed with this rulemaking

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1 and should not be giving new licenses. And if it is
2 going to proceed with that, it needs to look at these
3 on a site-specific basis.

4 MR. CAMERON: Okay, thank you. Thank
5 you very much.

6 Erica. And do we have a list of the
7 phones? Okay. And this is Erica Gray? Oh, I
8 thought she had disappeared there for a minute. Here
9 she comes.

10 MS. GRAY: Hello, my name is Erica Gray.
11 I'm from Henrico, Virginia. I am here today because
12 my home state has been left out of conversation. It
13 has not been in the news, it has not been in the
14 newspapers, yet our state capital is in 50-miles
15 radius of two aging nuclear power stations, North
16 Anna and Surry.

17 Yesterday, Reuters put out from Tokyo,
18 Wednesday, November 13, 2013, *Fukushima: now for the*
19 *tough part.* The operator of Japan's crippled
20 Fukushima nuclear power plant will this week begin
21 removing 400 tons of highly irradiated spent fuel in
22 a hugely delicate and unprecedented operation fraught
23 with risk. Carefully plucking out more than 1,500
24 brittle and potentially damaged fuel assemblies from
25 the plant's unstable Reactor No. 4 is supposed to

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1 take about a year, and will be seen as a test of
2 Tokyo Electric Power Company's ability to move ahead
3 in decommissioning the whole facility and would
4 likely take decades and cost tens of billions of
5 dollars.

6 The world is watching as we hold our
7 breath. What about the human cost? The NRC uses the
8 acronym ALARA, A-L-A-R-A, in nuclear dealings, as low
9 as is reasonably achievable, which means making every
10 reasonable effort in maintaining exposures on
11 ionizing radiation as far as below the dose limits as
12 practical.

13 I remind you there is nothing practical
14 that is going on in Fukushima. We don't even have
15 the technology that is needed in this ongoing crisis.
16 And what we have seen in Japan is they simply raise
17 the dose level that is accepted. And do we actually
18 think things would be different here?

19 Essentially the people in Japan have
20 been turned into test subjects. Shame, shame. This
21 is criminal. And what about the children that are
22 most susceptible to radiation?

23 For decades, the NRC has licensed and
24 relicensed reactors, not knowing what to do with the
25 highly radioactive spent fuel. You all have kicked

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1 the can around for decades. NRC has been complacent,
2 submissive, and accommodating to the nuclear energy
3 industry. The NRC needs to put people and the
4 environment first. We need real-time monitoring.

5 The people in Japan fled into areas of
6 high radiation. The NRC should be required to post
7 nuclear events and status reports seven days a week,
8 not this five days a week with holidays off. The
9 USGS provides 24/7 reporting. So can the NRC.

10 And finally, you all need to focus on
11 securing the waste, not producing more of it. There
12 is no confidence in making more of it. Thank you.

13 MR. CAMERON: Okay, thank you. Thank
14 you, Erica.

15 We are going to go to Mike Callahan and
16 I think we will also go to Katrina McMurrian and then
17 we are going to go to the phones. If you think you
18 aren't ready, we can go to you later, too, Katrina.

19 This is Mike Callahan.

20 MR. CALLAHAN: Thank you, Chip. I am
21 here today on behalf of the Decommissioning Plant
22 Coalition and we are pleased to comment on the NRC's
23 proposed Waste Confidence decision and its Generic
24 Environmental Impact Statement.

25 Members of the Coalition include the

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1 Connecticut Yankee, Humboldt Bay, La Crosse, Maine
2 Yankee, Rancho Seco, Yankee Rowe, and Zion
3 facilities. We communicate, as well, with the other
4 facilities where nuclear power generating activities
5 have permanently ceased.

6 We commend the Commission staff for its
7 work to date and believe that the work firmly and
8 fairly addresses the deficiencies found by the Court.
9 Its analyses of short-term, long-term, and indefinite
10 storage time frames are more than adequate to support
11 the long-held tenant that the U.S. can and will
12 successfully store and dispose of used fuel and
13 reactor-generated greater-than-Class C waste safely
14 and securely.

15 And that would complete our comments on
16 the Draft Final Rule and the Generic Environmental
17 Impact Statement, itself.

18 We do note that there is a need to
19 address some of the written material ancillary to the
20 Rule. We will offer comments that should illuminate
21 the considerations and the publication of the Final
22 Rule in the accompanying GEIS without disturbing the
23 actual Rule and Statement. We will be providing
24 these written comments soon.

25 Our suggestions will be aimed at helping

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1 the staff and the Commission be sure that the Waste
2 Confidence Rule and the GEIS endure changes in
3 national policy that the Congress and the Executive
4 may make or agree upon, or the changes in regulatory
5 policy that this, or a future Commission may make.

6 We are certainly aware, and we are sure
7 that the NRC staff and the Commission are as well,
8 that after the publication of the Rule and the
9 Generic Environmental Impact Statement there would
10 still be a great deal of work to do regarding the
11 nation's used fuel and reactor-generated GTCC
12 management program.

13 The NRC will still be responsible for
14 ensuring that its regulatory programs and policies do
15 not foster indefinite on-site storage and we look
16 forward earnestly to work with you in that regard.

17 But I do, in closing, want to state that
18 we do commend the staff and particularly this
19 Directorate for its hard work and believe that you
20 have firmly and fairly addressed the deficiencies of
21 the Court.

22 Thank you.

23 MR. CAMERON: Okay, thank you, Mike.

24 And we will get back to Katrina later on.

25 Mary, could you put Jane Dugdale on for

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1 us?

2 OPERATOR: Jane, your line is open.

3 Jane, your line is open.

4 MR. CAMERON: Jane, are you still with

5 us?

6 OPERATOR: Please check your mute

7 button, Jane. I'm not getting any response.

8 MR. CAMERON: Okay, well, we will come

9 back in a few minutes and see if Jane is on. How

10 about Don Leichtling?

11 MR. LEICHTLING: Yes, I am here.

12 MR. CAMERON: Okay, Don, please address

13 us.

14 MR. LEICHTLING: Hi, I would like to

15 address -- I'm calling from California, by the way.

16 I would like to address the high burn-up

17 fuel, which the NRC is allowing to be used nationwide

18 and they don't even have a safe way to store it. It

19 is a classic case of putting the cart before the

20 horse. And if they are going to do any kind of

21 environmental impact statement, that should have all

22 been done before they approved the use of this high

23 burn-up fuel, period.

24 I mean the NRC needs to step up and take

25 a good look at what they are approving and to make

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1 sure they can safely secure what they are allowing
2 utilities to create more of. And right now, there is
3 no safe way to store that.

4 In fact, I am reading off a thing from
5 *Power Engineering*. They posted, on the internet, a
6 briefer under Department of Energy's high burn-up
7 used fuel demonstration project, which is a \$16
8 million five-year award to a team led by some
9 different companies, the objective of which is to
10 observe and confirm the long-term characteristics and
11 behavior of high burn-up fuel under real conditions
12 and a full-scale dry storage system.

13 Now, notice that nothing is mentioned
14 here about transporting this high burn-up fuel, just
15 storing it. So, we are left to wonder how they are
16 going to get the fuel to a site other than the
17 reactor complex itself. That is not mentioned.

18 So, the NRC needs to immediately address
19 what is happening with high burn-up fuel, how it can
20 be transported safely, how it can be stored, and not
21 let more of it get created until they have this thing
22 worked out, waiting for another 10, 15, 40, 100 years
23 is not a good answer when they are trying to come up
24 with an Environmental Impact Statement that describes
25 what they are going to do in the future.

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1 Thank you very much and I appreciate it.
2 And, back to you Chip.

3 MR. CAMERON: Thank you. Thank you,
4 Don. And we still don't have Jane. So, we are going
5 to go to Marvin Lewis and then we are going to go to
6 Lou Zeller. Marvin, are you with us?

7 MR. LEWIS: Thank you. Hello, this is
8 Marvin Lewis.

9 MR. CAMERON: Yes, go ahead. Go ahead,
10 Marvin.

11 MR. LEWIS: Oh, okay. Thank you very
12 much for allowing me on. My name is Marvin and M-A-
13 R-V, as in Vincent, I-N, Lewis, L-E-W-I-S. I am
14 calling from Philadelphia. I have a few things to
15 say.

16 I hope that you don't mind me straying a
17 bit, but my problem with the radioactive fuel and
18 what have you is that this GEIS, draft Generic
19 Environmental Impact Statement, doesn't go into
20 reality. There is a reality out there. It may not
21 be in a GEIS but there is a reality.

22 For instance reality raises its ugly
23 head, like there is a man who operates -- who is an
24 operator at a nuclear power plant. He headed south
25 when he was caught trying to hijack and perhaps even

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1 kill another citizen. His coconspirator, another
2 coworker, is also up for charges. In other words,
3 what I am saying on that issue is that we look at
4 these people and these people are often very, very
5 good people working nuclear power plants, but we
6 forget that there are people who do bad things. And
7 nuclear radioactive waste is a lovely target for
8 terrorists who can use it to make a so-called dirty
9 bomb, just with conventional explosives and to
10 disperse radioactive waste and make an area a real
11 problem.

12 And that is something we forget. We
13 forget completely about that. And it is pretty much
14 close to what has happened already and we forget all
15 about that. In fact, if you don't believe it has
16 almost happened already, please go to the people in
17 Boston and ask them if it has almost happened already
18 with terrorists.

19 There are so many things like that. For
20 instance, the judge, effectively we are saying hey,
21 reality does have to raise its head. And that he has
22 made a ruling against the NRC with the radioactive
23 waste. Namely, he was trying to, I feel, force
24 reality into the way radioactive waste is looked at
25 by the NRC.

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1 Right now, we don't have a place to put
2 a permanent geological repository and we just can't
3 say, according to the Court, oh, we feel confident
4 that it will be there when we need it. According to
5 the Court, you need more basis, as the lawyers say,
6 basis to say hey, a geological repository will be
7 there when we need it. And the Court said that in a
8 ruling and it still has not answered in two-and-a-
9 half inches of paperwork in the GEIS.

10 Oh, by the way, I will refer to it as G-
11 E-I-S, as I do not like to refer to it as a German
12 ghost, geis, as the NRC likes to call the G-E-I-S.
13 Geist, no. That is a German ghost and I won't refer
14 to the G-E-I-S as such. I will refer to the G-E-I-S
15 as Generic Environmental Impact Statement.

16 Now, look, there is a lot of problems
17 with all sorts of things but let's go back to the
18 basics. And who better to be able to point out the
19 basics than a guy by the name of Hyman Rickover?
20 Hyman Rickover --

21 MR. CAMERON: Marvin, could you give us
22 just your final important point quickly so that we
23 can go on to the next person?

24 MR. LEWIS: Wonderful. Hyman Rickover
25 put it very clearly, "Why then, you might ask why do

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1 I have nuclear powered ships? That is a necessary
2 evil. I would sink them all. Have I given you an
3 answer to your question?" That is Admiral Hyman
4 Rickover. He would have sunk every nuclear sub if he
5 had a chance.

6 Thank you very much and I appreciate
7 your attention.

8 MR. CAMERON: Thank you, Marvin and
9 thanks to Don before Marvin.

10 Lou, are you on the phone, Lou Zeller?

11 MR. ZELLER: Yes, I'm here.

12 MR. CAMERON: Okay, go ahead, Lou.

13 MR. ZELLER: Thank you, Chip. My name
14 is Lou Zeller. I am Executive Director of Blue Ridge
15 Environmental Defense League. Thank you for this
16 opportunity. I will be brief.

17 On February 18, 2011, Blue Ridge
18 Environmental Defense League; Riverkeeper, Inc.; and
19 Southern Alliance for Clean Energy filed a petition
20 in U.S. District Court to reverse decisions by the
21 U.S. Nuclear Regulatory Commission on Waste
22 Confidence. As a result, in 2012, the U.S. Court of
23 Appeals nullified the Nuclear Regulatory Commission's
24 Waste Confidence Rule because it did not satisfy the
25 National Environmental Policy Act.

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1 The Court's decision cleared the way for
2 challenges at scores of commercial nuclear power
3 reactors in the United States because it invalidated
4 a broad Federal regulation which supports all U.S.
5 nuclear power plant licenses. The old Rule presumed
6 that waste stored at reactors would go to a waste
7 dump someday.

8 Following the landmark legal decision,
9 many groups petitioned the NRC to ensure that the new
10 environmental analysis is properly incorporated into
11 the licensing of nuclear power plants. Blue Ridge
12 Environmental Defense League has raised the Waste
13 Confidence issue at several NRC licensing
14 proceedings, namely, Bellefonte, North Anna, William
15 States Lee, Vogtle, and Sequoyah, but until the court
16 ruled in our favor, the Commission refused to even
17 discuss this issue. However, the current Draft Rule
18 and Environmental Impact Statement failed to meet the
19 standard established by the D.C. Circuit Court.

20 We will be submitting further comments
21 in writing on why this is so. Thank you so much.

22 MR. CAMERON: Okay, thank you, Lou.

23 And we do have Jane, Jane Dugdale with
24 us. Go ahead, Jane.

25 OPERATOR: Jane, your line is open.

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1 MR. CAMERON: This is like Marvin's
2 geist, I guess. So we may find Jane. Jane, are you
3 there?

4 OPERATOR: Please check your mute
5 button, Jane.

6 MR. CAMERON: Okay, well we will come
7 back and try Jane again. But I think what we will do
8 is come back to the room, at this point, and go to
9 Jenny Vince, Linda Lewison, Nathan Bennett, Gwen
10 DuBois, and Savannah Bailey. And I am just reminding
11 people that we do have a three-minute time limit but,
12 as you can tell, it is a generous three minutes, so
13 that you can finish what you are saying.

14 And this is Jenny.

15 MS. VINCE: Hi, I'm Jenny Vince and I am
16 here today on behalf of the Clean and Safe Energy
17 Coalition, also known as CASEnergy.

18 CASEnergy Coalition is a national
19 grassroots organization that supports the increased
20 use of nuclear energy to ensure an environmentally
21 clean, safe, affordable, and reliable supply of
22 electricity. Our members comprise a broad-based,
23 diverse cross-section of individuals and
24 organizations across the business, environmental,
25 academic, consumer, and labor communities, all in

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1 support of nuclear power.

2 The nuclear energy industry has built a
3 comprehensive system, using state-of-the-art
4 technology to safely and securely contain the spent
5 fuel it creates that keeps both the public and the
6 environment safe.

7 Spent nuclear fuel is currently being
8 stored onsite of facilities in storage casks that are
9 steel-lined with reinforced concrete walls. These
10 are robust structures. For every 10 tons of used
11 fuel, facilities use 100 tons of concrete and steel
12 to form a structure designed to protect the fuel.
13 Over the last 30 years, nuclear energy facilities
14 have safely and securely stored used fuel in these
15 structures.

16 American nuclear energy is also a highly
17 regulated industry with operating facilities subject
18 to onsite inspections by NRC staff 24 hours a day,
19 every day of the year. Nuclear energy is a safe,
20 reliable source of electricity and a valuable
21 community partner. It provides nearly 20 percent of
22 our electric power and supports more than 100,000
23 high-paying jobs.

24 Because of nuclear energy's commitment
25 to producing affordable, clean power, and its

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1 commitment to safely and securely storing spent fuel,
2 it is no wonder why communities near nuclear
3 facilities strongly support nuclear energy.

4 The timely resolution of this rulemaking
5 is important for long-term power planning. This
6 issue is directly affecting relicensing of nuclear
7 plants and approval of pending construction
8 applications for new reactors, which are vital if we
9 are serious about our commitment to reliable, safe,
10 and secure source of electricity.

11 Thank you.

12 MR. CAMERON: Thank you. Thank you,
13 very much, Jenny.

14 And Linda Lewison is coming down to join
15 us and then we are going to hear from Nathan Bennett
16 and Gwen DuBois and Savannah Bailey.

17 This is Linda Lewison.

18 MS. LEWISON: Hi, I'm here representing
19 the Sierra Club Nuclear Free Campaign, a 32-year-old
20 watchdog group of the nuclear industry in Illinois,
21 Nuclear Energy Information Service. But I am really
22 here representing the citizens of Illinois who want
23 to be safe.

24 After Fukushima, the Nuclear Regulatory
25 Commission ordered staff to review the 24 Fukushima

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1 twin reactors here, of which Illinois has four, two
2 at Dresden and two at Quad Cities, and come up with a
3 series of safety recommendations to be implemented to
4 make sure that U.S. reactors were adequately
5 safeguarded and protected.

6 A number of safety upgrades were
7 recommended. The Nuclear Regulatory staff presented
8 these recommendations to the commissioners, as you
9 all now. To date, the Nuclear Regulatory Commission
10 has not acted on these safety recommendations. Many
11 groups supported the closing of these 24 reactors
12 until these safety inspections took place. This also
13 has not happened.

14 The reason I tell you what you already
15 know is to make the point—how can we have confidence
16 in the Nuclear Regulatory Commission if you don't
17 even listen to the most serious findings of your own
18 staff?

19 But Illinois has even more in common
20 with Fukushima than just four Fukushima twin reactors
21 that need to be shut down for safety inspections.
22 Just as Fukushima is about to start the high-risk,
23 high-level radioactive waste fuel transfers out of
24 Unit 4, 40 miles north of Chicago, the Zion Nuclear
25 Generation Plant is about to start its own fuel

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1 transfer operation in December of irradiated fuel of
2 over 1,000 tons of high-level radioactive waste,
3 almost three times the amount that, as Erica
4 described -- this very high-risk operation is going
5 to happen in Japan.

6 This is the largest scale
7 decommissioning in history. So, if we can't trust
8 the Nuclear Regulatory Commission to act on its own
9 staff recommendations, how can we have confidence in
10 the NRC acting responsibly in the future?

11 Second, I have another point to make.

12 MR. CAMERON: Go ahead make it and then
13 finish up, please. Thank you.

14 MS. LEWISON: Okay. Radioactive cleanup
15 is a very misleading phrase. It suggests to ordinary
16 people that we can somehow get rid of radioactive
17 contamination. But we cannot do so, at least not in
18 any absolute terms. All we can do is move the
19 contamination from one place to another.

20 Governments and their electorates have
21 been misled by the nuclear industry into believing
22 false notions about nuclear waste. They don't know
23 how to clean up and dispose of nuclear waste, except
24 in a temporary and superficial manner, as other
25 people have already referred to here.

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1 Why am I mentioning that at this point?
2 Because we can't take a snapshot of one moment in
3 time without ignoring that these changes take place
4 in radioactive elements at the very basic scientific
5 level, at the subatomic level.

6 In closing I want to quote from the
7 movie *Pandora's Promise*, or as many of us refer to it
8 as *Pandora's Broken Promises*, which was mentioned in
9 Oakbrook two nights ago when the people in Chicago
10 came and gave testimony. A person was walking
11 through the ruins at Fukushima and looked around and
12 said, "This wasn't supposed to happen this way."

13 That is why we can't have any confidence
14 in a Generic Environmental Impact Statement and why
15 we do not support this document.

16 MR. CAMERON: Thank you. Thank you very
17 much.

18 Nathan, and then we are going to go to
19 Gwen and Savannah, if they are here. Nathan.

20 MR. BENNETT: My name is Nate Bennett.
21 I am a nuclear engineer. I have studied nuclear
22 engineering. I have worked on power plants. I have
23 worked in power plants. And I am here as a member of
24 the North American Young Generation in Nuclear, a
25 young professionals organization composed of nuclear

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1 professionals throughout the industry, academia, and
2 government.

3 I am very grateful, not only for the
4 opportunity to speak here today but also for the work
5 that the NRC does in ensuring that American reactors
6 operate safely. The American public and the industry
7 benefit tremendously from the work that you do.

8 Now, in vacating the 2010 update to the
9 Waste Confidence Rule, the Appellate Court, among
10 other things, directed the Agency to more thoroughly
11 examine the environmental impact of continued spent
12 fuel storage. The Agency's findings of minimal
13 impact are consistent with the excellent safety track
14 record associated with dry storage systems and the
15 broader performance of the U.S. Nuclear Energy
16 industry.

17 As the Federal government continues to
18 default on its legally mandated responsibility to
19 handle spent nuclear fuel, utilities and the nation's
20 rate payers have been left to foot the bill. The
21 work-around has been dry cask storage, nearly 2,000
22 of which have been installed in the U.S. with zero
23 release of radiation. This historical track record
24 lent strong support to the rigorous technical
25 evaluations that the Agency has compiled as part of

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1 its rulemaking.

2 On the question of long-term repository
3 or centralized storage feasibility, solutions are
4 technically and financially feasible. And, as noted
5 in the Generic Environmental Impact Statement, are
6 being implemented in countries worldwide. This is
7 yet another example of how our international
8 counterparts continue to pass us by in facing the
9 challenges of our modern world. What is lacking here
10 in the U.S. is the societal and political gumption to
11 take ownership of our problems and solve them.

12 With the increasingly real prospect of
13 catastrophic climate change, we are ill-advised to
14 shrink from nuclear energy and the responsible
15 handling of spent nuclear fuel from our energy
16 portfolio. As with any major undertaking, there will
17 be lessons to be learned, improvements to be made,
18 and disagreements to be resolved. But none of these
19 items should preclude us from pushing and pursuing
20 anything other than an all-of-the above energy
21 strategy.

22 Now, as I close, it is unfortunate that
23 the leaders of today continue to kick the can down
24 the road for a myriad of national issues, climate
25 change and nuclear waste policy among them. While

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1 this may be flagrantly reckless and a willful
2 abdication of responsibility, it is, nonetheless, the
3 sociopolitical environment of this moment in history.
4 However, as the urgency of these problems continues
5 to mount, my generation will have to confront these
6 issues. We simply don't have a choice. This is why
7 individuals such as myself and others in this room
8 chose this calling. And I have full faith and
9 confidence that we will rise to these challenges.

10 I would like to offer my support for the
11 Proposed Rule and thank you for your time this
12 afternoon.

13 MR. CAMERON: Okay, thanks, Nate.

14 Gwen. This is Gwen DuBois. Is that
15 correct?

16 DR. DuBOIS: DuBois.

17 MR. CAMERON: DuBois. Okay.

18 DR. DuBOIS: Hi, I am a physician, an
19 internist, and I have a master's in public health. I
20 am speaking -- I am a member of Chesapeake Physicians
21 for Social Responsibility and speaking for them, as
22 well as for the Crabshell Alliance.

23 Just as it is around the country, the
24 spent fuel pools in our region, I am from Baltimore,
25 at Calvert Cliffs and Peach Bottom have several times

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1 the amount of radioactivity as the Daiichi 4 spent
2 fuel pool. Peach Bottom shares the Mark 1 design
3 like the Fukushima reactors with the elevated spent
4 fuel pool. Moreover, more and more of today's fuel
5 is the radioactively hotter high burn-up fuel. The
6 consequences of a loss of electricity would be
7 catastrophic. We can't say just because a tsunami is
8 unlikely that a Fukushima-like disaster can't happen
9 here.

10 Peach Bottom, within 50 miles of my
11 city, is at risk from a sudden dam failure, as are 33
12 other reactors in our suite. Calvert Cliffs is three
13 miles from the largest liquid natural gas terminal on
14 the east coast, where a large fire explosion could
15 occur. Climate change may bring more super storms up
16 the coast like Sandy. The NRC needs to require that
17 spent fuel be moved out of the vulnerable spent fuel
18 pools and into not just safer dry casks, which of
19 course are safer because of the double advantage of
20 passive cooling and smaller amounts of radioactivity
21 per cask, but into hardened onsite storage, safe from
22 airplane attacks, terrorists, and explosions. This
23 should be required as soon as the fuel is cool enough
24 to move relatively safely, rather than waiting, as it
25 is done now, until the pools are too full to take any

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1 new spent fuel otherwise.

2 But, then, we need to phase out nuclear
3 power because we have no fool-proof plan to safely
4 dispose of the waste. In 300 years, our land will
5 be littered with high-level waste that is no longer
6 theft-proof, as the shorter-lived isotopes disappear,
7 leaving purer and purer plutonium waste.

8 This is a nightmare for those of us who
9 are concerned with the growing nuclear weapons
10 proliferation risk we leave to the world that we
11 don't even know who will be left to govern. We
12 imperil the future of our planet and our descendants
13 and we do this, my God, in order to boil water.

14 We need the NRC to shepherd us out of
15 this nuclear waste mess as responsibly and quickly as
16 possible. Spent fuel into hardened onsite casks.
17 Stop making new waste as soon as possible.
18 Transition out of nuclear and out of coal and into
19 efficiency, efficiency, efficiency: solar and wind.
20 Thank you.

21 MR. CAMERON: Thank you. Thank you very
22 much, Gwen.

23 And this is Savannah. She's not here.
24 Okay.

25 Katrina, do you want to talk to us now?

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1 This is Katrina McMurrian. And then we are going to
2 go to the phones. And I should remind you on the
3 phones to hit *1 if you want to speak. And then
4 listen to the phone for your name because there is a
5 delay with the webcast.

6 Hi.

7 MS. McMURRIAN: Hi, Chip. I'm Katrina
8 McMurrian, and I represent the Nuclear Waste Strategy
9 Coalition, which is an ad hoc organization
10 representing the collective interests of member state
11 utility regulators, consumer advocates, tribal
12 governments, local governments, electric utilities,
13 and other public and private stakeholders on nuclear
14 waste policy matters.

15 Our group's primary focus is to protect
16 consumer payments into the nuclear waste fund and to
17 support the removal and ultimate disposal of used
18 nuclear fuel and high-level radioactive waste
19 currently stranded at sites across the United States.

20 Therefore, our members follow the issue
21 of waste confidence closely and we are grateful for
22 this and other numerous opportunities provided by the
23 NRC for stakeholder input before making a final
24 decision.

25 We compliment the Directorate's outreach

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1 efforts, as well as their ability to adhere to the
2 schedule laid out by the Commission. We underscore
3 the importance of maintaining the schedule so the NRC
4 licensing decisions will not be unduly delayed.

5 Finally, we encourage the NRC to
6 facilitate waste removal and permanent disposal by
7 complying with the nuclear waste policy act and
8 moving, expeditiously, with the completion of the
9 Yucca Mountain license application. Such actions
10 will go a long way toward giving our members, other
11 stakeholders, and the public the assurance that the
12 Federal government will make good on its promises.

13 Thank you.

14 MR. CAMERON: Thanks Katrina. We are
15 going to try the phones now. And we don't have
16 anybody -- are you sure that Jane -- okay, all right.

17 And Mary, are you still with us?

18 OPERATOR: Yes, I am, sir.

19 MR. CAMERON: Okay, well, if Jane does
20 appear, could you let us know?

21 OPERATOR: Yes, I will, thank you.

22 MR. CAMERON: Okay, great. Okay, we are
23 going to come back to the room and we are going to go
24 to David O'Leary and Jonas England, Ellen Ginsberg,
25 Jeremy Cohn, Regina Minniss, and then we will see if

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1 we have anybody on the phone.

2 David? Is this David?

3 MR. O'LEARY: Yes.

4 MR. CAMERON: Okay. This is David
5 O'Leary.

6 MR. O'LEARY: Good afternoon. My name
7 is David O'Leary. I am the Chapter Chair for the
8 Maryland Chapter of the Sierra Club. Thank you for
9 the opportunity to offer these comments.

10 I will echo some of the comments that
11 were presented earlier and try to add a little
12 perspective specific to Maryland.

13 Nuclear waste is a problem without a
14 solution and we really do not have an answer. So, to
15 some extent, the overall premise of how do we move
16 forward is certainly a big challenge.

17 We, obviously, have not identified a
18 centralized repository site and there isn't a clear
19 path to identify one and certainly not a path to
20 identify the likely need for more than one, given the
21 volume of our existing waste.

22 Centralized or consolidated storage in
23 temporary sites would involve significant waste
24 handling and thousands of trips moving waste and just
25 inherently increasing the likelihood of the various

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1 kinds of accidents. In Maryland, we are particularly
2 concerned about environmental impacts, including
3 water contamination in the Susquehanna River or our
4 treasured Chesapeake Bay from the reactors at Calvert
5 Cliffs, Peach Bottom, and the other reactors
6 throughout the watershed.

7 Again going back to the transport issue,
8 we have concerns. Calvert Cliffs, in its location --
9 and this is true of other reactors around the
10 country, but using Calvert Cliffs as an example --
11 transporting that waste would bring it past major
12 metropolitan areas like Washington, D.C. and there
13 really are no other obvious ways to move that waste
14 around.

15 I also agree that we shouldn't avoid
16 addressing our existing waste storage problems. And
17 was suggested before, hardened onsite storage seems
18 to be really the best answer. However, rather than
19 pressing forward, we really need to not continue with
20 publishing a Rule that enables the creation of not
21 only more and more of this waste, but also more
22 dangerous waste.

23 Thank you.

24 MR. CAMERON: Thank you. Thank you very
25 much.

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1 And we have heard from David. Jonas,
2 Jonas England? No? Let's go to Ellen Ginsberg.

3 MS. GINSBERG: Thanks, Chip and good
4 afternoon. I am Ellen Ginsberg. I serve as Vice
5 President and General Counsel of the Nuclear Energy
6 Institute. NEI's members include all operating
7 reactor licensees. We very much appreciate the
8 opportunity to offer comments and I am doing so on
9 behalf of NEI and its members.

10 I would first like to address the NRC's
11 question in the *Federal Register* notice about whether
12 the title of the Rule should be changed. NEI
13 strongly supports discontinuing using the term Waste
14 Confidence. It is a historical artifact and it
15 doesn't provide any useful description of the
16 Agency's analysis and conclusions on repository
17 availability and the continued safe and
18 environmentally sound storage of used fuel. In fact,
19 the term "Waste Confidence" simply derives from the
20 Commission's statement dating from the late 1970s,
21 that as a matter of policy, the NRC would not
22 continue to license reactors if it did not have a
23 reasonable confidence that waste can and will, in due
24 course, be disposed of safely.

25 Although the record amply supports a

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1 continued finding of reasonable confidence that safe
2 disposal will become available, there is much
3 confusion about that to which the term refers. To
4 avoid the confusion and the mischaracterizations that
5 the term "Waste Confidence" seems to engender, we
6 strongly recommend that the Rule be retitled
7 something along the lines "Storage of Spent Nuclear
8 Fuel for the Period After License Term of Reactor
9 Operation." Simple, straightforward, and
10 descriptive. The GEIS should be similarly renamed.

11 All of that notwithstanding, the Agency
12 has ample reason to have confidence and remain
13 confident in the fact that a safe disposal option
14 will become available and that continued storage can
15 be accomplished in a safe and environmentally sound
16 manner in the meantime.

17 I am going to focus my limited time on
18 the issues related to spent fuel pools. I note that
19 Appendix E of the draft GEIS provides a detailed
20 discussion of the environmental impacts of spent fuel
21 pool leaks during short-term storage time frame. The
22 draft GEIS describes the current regulatory regime to
23 avoid and respond to spent fuel pool leaks, including
24 the NRC's requirements and industry initiatives for
25 groundwater monitoring and remediation of

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1 contaminated groundwater.

2 Importantly, the NRC does not simply
3 rely on its regulatory oversight to conclude that the
4 environmental impacts of spent fuel pool leaks during
5 the short-term time frame will be small. The draft
6 GEIS, in fact, discusses spent fuel pool design and
7 maintenance, operational practices, site
8 hydrogeological characteristics, and radionuclide
9 transport properties to establish the Agency's basis
10 for concluding that there is a very low likelihood
11 that an undetected leak from a spent fuel pool will
12 migrate offsite. These considerations are all
13 generic and they obviate the need for site-specific
14 assessment.

15 Furthermore, in the unlikely event that
16 a spent fuel pool leak were to migrate offsite, the
17 draft GEIS assesses the potential for impacts on
18 groundwater, surface water, soils, and public health
19 using a bounding approach. Therefore, contrary to
20 some of the views presented at this meeting and
21 others, we believe there is ample support for the
22 draft GEIS conclusions that the potential impacts
23 involving spent fuel pool leaks will be small.

24 There is much more to be said about why
25 it is appropriate for the NRC to have conducted a

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1 generic review to meet its NEPA obligation. There is
2 also much more to be said about how the draft GEIS
3 sufficiently responds to the Court's direction to
4 consider spent fuel pool leaks and fires.

5 Given the limited time for these
6 statements, NEI will provide its additional comments
7 on these matters in writing.

8 MR. CAMERON: Thank you.

9 MS. GINSBERG: Thank you very much for
10 the opportunity and we look forward to expressing our
11 further views. Thank you.

12 MR. CAMERON: Thank you. Is Jeremy
13 here? How about Regina? Where is Regina? Regina
14 Minniss.

15 MS. MINNISS: My name is Regina Minniss.
16 I'm here on behalf of the Crabshell Alliance and this
17 is what I have to say.

18 Fukushima, the world's worst nuclear
19 accident that will continue for centuries, just as
20 the other nuclear accidents have, only this one being
21 a triple meltdown, poses new challenges that none of
22 the great engineers thought of and some they should
23 have.

24 As the earth is being re-shifted, humans
25 have not adjusted to the new extremes upon us. With

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1 climate change inside our front door, the problems of
2 nuclear energy will be augmented. It is great news
3 that no new license or no new renewal of existing
4 license will receive final approval until the waste
5 issue is addressed.

6 As a first step towards dealing with
7 this waste, this decision showed real leadership.
8 But at least 12,000 tons of nuclear waste per year
9 keeps accumulating from existing operating plants.

10 The second step to dealing with the
11 waste is to make the amount of nuclear waste finite.
12 This is a time to show more leadership. The reality
13 is if a solution is found, we will still have it, and
14 generation after generation will have to deal with
15 the continued problem. To me, putting it in the
16 ground is like adding dynamite to the interior of the
17 earth. This sets us up for internal pollution, as
18 well as external pollution, but it is from the normal
19 operation of nuclear plants which emit hundreds of
20 thousands of curies of radioactive gases and elements
21 into the environment every day. This is commonly
22 known as burning the candle at both ends.

23 If we continue business as usual, we are
24 truly on the path to total destruction. This highly
25 toxic energy destroys our air, water, food, soil, and

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1 gene pool of all living plants and animals. You will
2 see children with tumors -- sorry. A look on the
3 internet of the children of Belarus will verify the
4 long-term effects of nuclear energy. This is a site
5 where parents cannot deal with their children from
6 the Chernobyl accident. You will see children with
7 tumors beyond imagination, tumors that are bigger
8 than beach balls showing up anywhere on their small
9 bodies, deformities so grotesque that you think you
10 are looking at a horror film but these are innocent
11 children. Let's at least make the nuclear waste
12 finite and begin aggressively pursuing truly green
13 energy sources. Thank you.

14 MR. CAMERON: Thank you. Thank you very
15 much, Regina.

16 We are going to go to the phones now.
17 Mary, could you put Mark Leyse through? I'm not sure
18 I am pronouncing his last name correctly.

19 OPERATOR: Mark, your line is open.
20 Excuse me, Mark, your line is open.

21 MR. CAMERON: Mark, are you with us?

22 Well, we will come back to Mark. How
23 about Susan Michetti?

24 OPERATOR: Susan, your line is open.
25 Please check your mute button.

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1 MS. MICHETTI: Okay. Can you hear me?

2 MR. CAMERON: Yes, we can. This is
3 Susan, right? Correct?

4 MS. MICHETTI: Right.

5 MR. CAMERON: Okay, Susan Michetti.

6 MS. MICHETTI: I'm Susan Michetti. I'm
7 from Wisconsin. I'm also working with the Sierra
8 Club's John Muir Chapter of Wisconsin on this issue.

9 I guess we reject the NRC's Waste
10 Confidence DGEIS and we ask for it to be withdrawn
11 for thorough revision. We have no confidence in the
12 NRC's Waste Confidence for the same reasons that the
13 Court found.

14 Basically, there was an assumption made
15 decades ago that we would have safe storage and that
16 we would be able to deal with very toxic radioactive
17 waste in the future, but that future has never
18 materialized and it likely will never materialize.
19 Therefore, that assumption upon which everything else
20 has been based has no validity anymore. And because
21 that has no validity, we cannot have confidence that
22 there will ever be any safe storage for any of this
23 nuclear waste that we are creating. Therefore, we
24 shouldn't be creating it. Therefore, we shouldn't be
25 relicensing and we should make licensing a permanent

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1 moratorium on all licensing because we do not have
2 anything, any safe place to put this waste. No
3 industry should be allowed to make and manufacture
4 and create waste that is unsafe and that there is no
5 place to put it.

6 The NRC should not be allowed to issue
7 any new licenses from this point forward or to grant
8 any license extension because there is no safe way to
9 deal with the waste. And any confidence statements
10 that this is going to appear in the future are using
11 the same assumptions that have caused us to be in
12 this very precarious situation that we are in without
13 a place to store any of this waste.

14 Gulf State is a nuclear waste site dump,
15 or should be one. And we shouldn't be having high-
16 level nuclear waste being transported through states
17 to go to into permanent places that are not -- have
18 no safety or any more safety than where they are at.
19 We need to keep everything on the site where it is
20 right now in order to not create other accidents.

21 There are technical shortcomings
22 everywhere we look throughout the entire nuclear
23 process. Those technical shortcomings need to be
24 addressed and closed up, too.

25 MR. CAMERON: And if I could ask you to

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1 just finish up, Susan.

2 MS. MICHETTI: Okay. We are very
3 concerned about risks of fuel and a fire in fuel
4 pools. And we do prefer hardened onsite storage
5 systems.

6 MR. CAMERON: Okay, thank you. Thank
7 you very much, Susan.

8 Mary, let's see if Mark is with us.

9 OPERATOR: I'm not showing Mark in
10 queue, sir.

11 MR. CAMERON: Oh, okay, great. And
12 there is a familiar name, Jane Dugdale. Is Jane --
13 Jane, are you there?

14 MS. DUGDALE: Mr. Cameron.

15 MR. CAMERON: Hi.

16 MS. DUGDALE: Hello. Can you hear me
17 now?

18 MR. CAMERON: Yes, we can.

19 MS. DUGDALE: Oh, excellent. Yes, my
20 name is Jane Dugdale. I live in Phoenixville,
21 Pennsylvania, within ten miles of Exelon's Limerick
22 Generating Station and I am very concerned.

23 The Waste Confidence Statement should be
24 rejected. It ignores numerous catastrophic risks to
25 everyone in and far beyond their heavily populated

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1 region. The Alliance for a Clean Environment, ACE,
2 has studied these risks for over a decade and found
3 volumes of evidence for these risks published at
4 www.acereport.org. The Waste Confidence Statement is
5 simply sweeping these risks under the carpet. Unless
6 you give the draft statement a vote of no confidence,
7 the NRC is recklessly endangering our communities and
8 the risks described should make the NRC liable for
9 regulatory mismanagement.

10 Three of the worst risks at Limerick
11 are, first, Limerick's use of high burn nuclear fuel;
12 second, its overcrowded, corroding, and thinning fuel
13 pools; and third, its above ground concrete cask
14 storage system is not designed to last the length of
15 time that the waste could be stored in them.

16 First, regarding Limerick's use of high
17 burn nuclear fuel, evidence suggests its use is far
18 more dangerous than fuel previously used at Limerick.
19 Higher radioactive gas releases, increased corrosion,
20 thinning and brittleness of fuel cap cladding,
21 increased radioactivity and decay heat from spent
22 fuels, and increased damage to the fuel rods in the
23 reactors—all these can results — leading to
24 radiation leaks in the spent fuel pools and casks.

25 My first question is this. Is Exelon

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1 using high burn nuclear fuel without regulatory
2 oversight? Second, regarding Limerick's overcrowded
3 fuel pools. These packed, vulnerable, thinning, and
4 corroding pools post catastrophic risks to our
5 heavily populated region. Yet, the NRC is failing to
6 adequate action for precaution.

7 Why does the NRC fail to require Exelon
8 to adequately guard against air strikes or missiles?
9 Why do Limerick's two pools have more spent fuel than
10 even older nuclear plants and twice as much as
11 Fukushima's four pools?

12 Why has the NRC allowed Exelon to put
13 off even studying the risks related to earthquakes
14 when the plant sits on an earthquake fault, is
15 located within 17 miles of four other earthquake
16 faults, and is number three on the nation's
17 earthquake risk list?

18 Why does the NRC not require immediate
19 recoding of Limerick's fuel pool liners when an NRC
20 safety evaluation found them corroding and thinning
21 up to ten times faster than estimated?

22 Third, regarding Limerick's aboveground
23 concrete cask storage, this is a short-term solution
24 to a long-term problem. There is no proof that spent
25 fuel stored in dry steel containers inserted into

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1 these concrete casks can be safely removed or
2 transported in the future and there is no place for
3 it to go.

4 How can the NRC assure that the
5 containers will be replaced after their 50-year
6 lifetime or before that if they fail? Why did the
7 NRC deny the corrosion risks found by a recent NRC
8 safety evaluation and stop its own 2005 study when
9 corrosion concerns were identified? Why were the
10 concerns that ACE expressed to the NRC ignored
11 regarding the design flaws of Limerick's concrete
12 casks?

13 MR. CAMERON: Jane, I need you to wrap
14 up.

15 MS. MICHETTI: In spite of the risks it
16 poses, cask storage onsite is the least-bad long-term
17 solution to waste containment.

18 MR. CAMERON: Can you finish up for us,
19 Jane?

20 MS. MICHETTI: Yes. We stop making this
21 deadly radioactive waste for which there is no safe
22 solution.

23 The NRC should move to repurpose plants
24 such as Limerick and encourage electricity generation
25 by improving efficiency and investing in renewable

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1 sources of energy such as solar and wind.

2 Thank you very much.

3 MR. CAMERON: Thank you, Jane. Thank
4 you.

5 We are going to take a ten-minute break
6 right now and then we will be back and we will come
7 to speakers in the room.

8 I think we are well within our time
9 schedule, too, judging by the number of speakers we
10 have left.

11 So, let's take ten and we will be back.

12 (Whereupon, the foregoing meeting went off the record
13 at 3:30 p.m. and went back on the record
14 at 3:45 p.m.)

15 MR. CAMERON: Welcome back. And just a
16 message for those of you on the phone, we think we
17 have figured out what the problem is, in terms of
18 your not knowing that we want you to talk. There is
19 a 30-second delay, apparently on the webcast. So if
20 you are watching the webcast, I might have already
21 called your name but you are waiting for the 30-
22 second delay on the webcast to be over. So, if you
23 have pressed *1 and are waiting to talk, you might
24 want to pay attention to your phone to hear if Mary
25 is calling your name, rather than just watching the

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1 webcast for that. So we will see how that works.

2 We are going to go back. I don't think
3 Alex Rower -- is Alex -- Alex is not here. Is he?

4 Okay, and this is a challenge. Diane
5 Szczesmil, S-Z-C-Z-E-S-M-I-L. Okay.

6 And let's go to Brad, Brad Karbowsky.
7 And then we are going to go to Susan Shapiro and
8 Melinda Crasting, Rob McCullum, Salman Gupta, and
9 Elizabeth O'Nan.

10 This is Brad.

11 MR. KARBOWSKY: Good afternoon and thank
12 you for the opportunity to speak. My name is Brad
13 Karbowsky and I represent 375,000 members of United
14 Association of Plumbers and Fitters in North America
15 and Australia.

16 I live and reside in Huntingtown,
17 Maryland, about 20 miles north of the Calvert County
18 Nuclear Power Station. When I relocated to Maryland
19 15 years ago, I had no reservations about buying a
20 house in that county that close to a nuclear power
21 house. That is because of my first-hand knowledge
22 from working on existing plants and new construction
23 of nuclear power, both of which I have participated
24 in. I know what stringent standard these plants are
25 held to in construction, maintenance, and safety and

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1 security.

2 In these tough economic times, this
3 plant has provided my community with a stable tax
4 base and jobs. Couple this with the growing effects
5 of greenhouse gas, we should be finding ways to help
6 the nuclear industry, not hamper it.

7 The current system of storage has been
8 approved and continues to be studied to find ways to
9 make things more secure and safe. We should be
10 looking at -- more at allowing the industry to reuse
11 and recycle the fuel rods and find a permanent
12 repository for spent fuel, rather than imposing some
13 new regulations.

14 Thank you and we support the NRC
15 findings.

16 MR. CAMERON: Okay, thanks, Brad. And
17 Susan? Susan Shapiro is probably not with us. How
18 about Melinda Crasting? Let's hold off on Rod for a
19 couple of names.

20 Sue Minoff. Is Sue Minoff here? Or
21 Elizabeth O'Nan? Okay, she is here somewhere? She
22 is not. Oh, okay. All right. Okay, thank you.

23 Jan, Jan Budart? Okay.

24 Let's go to Rod, Rod McCullum.

25 MR. McCULLUM: Thank you, Chip. My name

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1 is Rod McCullum with the Nuclear Energy Institute.
2 And I want to once again thank the NRC for providing
3 this opportunity for seeking out the learning
4 experience that is always when you seek so many
5 comments from so many different individuals of so
6 many different perspectives.

7 From the documents, the very thorough,
8 extensive documents that NRC has provided for
9 comment, all the way through these meetings, this has
10 and continues to be a shining example of the rigor
11 with which the regulatory processes that govern the
12 nuclear industry work.

13 Dry cask storage systems, they are
14 robust, no moving parts, passively cooled, a hundred
15 tons of concrete and steel and other materials to
16 protect every 10 tons of fuel. Pools are equally
17 robust with 20 feet of water above the fuel, several
18 feet of concrete structures. And of course, the
19 casks are most relevant to the discussion here
20 because over these incredibly long time frames, the
21 fuel will move to the casks, it is decades or less
22 that we tend to do that.

23 Now, I have talked about at some of the
24 other meetings I have had the pleasure to attend and
25 learn from, the robustness of the casks, I have

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1 talked about my confidence in the people who manage
2 the casks. It is one of the things that I think is
3 underappreciated in the EIS is the human element and
4 the very dedicated people that do this.

5 But what I want to talk today is a
6 little bit more about the robustness of the process.
7 A couple of things have been mentioned. One is high
8 burn-up fuel. That is mentioned in the EIS as an
9 example of how the process works. And I was going to
10 cite a letter that I left back there.

11 But industry has documented its position
12 and in our comments, we will send a letter which we
13 wrote to NRC within the last year that cites 15
14 different scientific studies, which document the
15 technical basis for the safe and long-term storage of
16 high burn-up fuel. The high burn-up demo project was
17 mentioned previously. That project is intended to
18 confirm, further confirm the findings of those
19 studies. And the results of that project, whatever
20 it be, good, bad, or indifferent, will go into aging
21 management plans. Every 40 years these casks have to
22 be relicensed.

23 The NRC has done a very bounding
24 analysis here, talked about repackaging every 100
25 years, dry transfer facilities everywhere. We don't

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1 think that will happen. But the regulatory process
2 will be what decides what does happen.

3 So, we do have a very robust technical
4 basis for storing high burn-up fuel for addressing
5 other technical concerns. It is very forward
6 looking.

7 One of the things about this EIS is it
8 is a snapshot in time. It looks at the world based
9 on what we know today. If you look at the
10 opportunities for learning that go beyond what we
11 hear in these meetings and go through the aging
12 management plans and the scientific investigations,
13 industry has multiple programs in place to look at
14 all the long-term aging characteristics of not just
15 the fuel but the casks. Just like we are looking at
16 high burn-up fuel, we are looking at various cask
17 degradation mechanisms.

18 Everything with dry storage happens
19 slowly. So whatever we find, we will have time to
20 address it. We will take what we learn and we will
21 move on.

22 I believe as strongly as anybody we need
23 a permanent disposal solution and I am committed to
24 continuing to work towards that. But until we have
25 that, I know our processes will work. They will

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1 continue to learn. And throughout my career in this
2 area, the more we learn about this, the more we know,
3 the safer it looks.

4 And I thank the NRC for continuing to
5 facilitate this process.

6 MR. CAMERON: Thank you, Rod.

7 How about Evan? This is Evan Lapiska.
8 Then, we will go to Diego Garcia and then to Allison
9 Fisher. And then we are going to go to the phones
10 again.

11 Evan.

12 MR. LAPISKA: Thank you. My name is
13 Evan Lapiska with the Clean and Safe Energy
14 Coalition. I am here today on behalf of the Clean
15 and Safe Energy Coalition or CASEnergy and our
16 membership of more than 3,200 businesses,
17 organizations, and individuals.

18 Our members support the increased use of
19 nuclear energy to ensure an environmentally clean,
20 safe, affordable, and reliable source of electricity.

21 The CASEnergy Coalition is a large
22 national grassroots coalition with members
23 representing a diverse mix across the business,
24 environmental, academic, consumer, and labor
25 communities.

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1 I would first like to thank the NRC for
2 this opportunity. And having attended a few of these
3 meetings throughout the hearing period, I applaud
4 their effort to allow all sides to be heard. We are
5 here to discuss spent nuclear fuel, not something
6 that is new, and not because of an issue, but because
7 of the way the system works, providing due process to
8 address questions and concerns and ensure the safe
9 operation of nuclear facilities and the safe storage
10 of fuel after it has been used.

11 Spent fuel is currently being stored
12 safely onsite in storage casks, as well as fuel
13 pools. Most importantly, it is being stored safely
14 and securely, as it has been for many years and can
15 be for many more.

16 On top of the physical safety measures
17 that are design of the storage options, the
18 regulation the industry operates under is second to
19 none. American nuclear energy operating facilities
20 are subject to onsite inspections by NRC staff 24
21 hours a day, 7 days a week, and 365 days a year.

22 Stepping back from spent fuel storage,
23 the larger debate I have seen taking place at these
24 meetings is on the future of nuclear energy in
25 general. Plain and simple, if we are serious about

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1 addressing climate change and reducing carbon
2 emissions, nuclear energy is a vital part of any
3 viable plan.

4 Nuclear energy currently provides
5 electricity to one out of every five homes and
6 businesses. Yet, it accounts for nearly two-thirds
7 of our clean-air electricity. In addition to being
8 clean, it is reliable as a 24/7 baseload source of
9 electricity. Or put another way, a perfect
10 complement to intermittent renewables like wind and
11 solar.

12 I look forward to a timely resolution of
13 this rulemaking so that the NRC can get back to some
14 of the important tasks they handle each and every day
15 that have been placed on hold while this plays out,
16 including the relicensing of nuclear plants and
17 approval of pending construction applications for new
18 reactors.

19 As the Commission continues these public
20 hearings, I hope to hear a discussion of the facts.
21 And that is that nuclear energy has shown the utmost
22 commitment to safely and securely storing spent fuel
23 and that will never change, while providing us with
24 clean, safe, and reliable electricity around the
25 clock.

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1 Thank you for your time today.

2 MR. CAMERON: And thank you, Evan.

3 Thank you very much.

4 And Diego? This is Diego Garcia.

5 MR. GARCIA: Hi. I would like to thank
6 the NRC for allowing me to speak today.

7 I work as a nuclear safety performance
8 engineer and I work on the safety systems that are
9 currently analyzing the spent fuel pool cooling for
10 Fukushima-type conditions. And I take that
11 responsibility to heart. I know the public and our
12 country trusts engineers like me to provide them with
13 the trust that they need in order to continue nuclear
14 power and the safe storage of spent fuel. And I
15 believe that the Proposed Rule is consistent with
16 that. I think the generalized approach is
17 appropriate, as it takes into account bounding
18 conditions, conditions for wet storage that are way
19 beyond what storage is usually used for. It takes
20 into account indefinite and long-term storage and dry
21 casks. And those are applicable across the board.
22 As an engineer, I feel confident in that.

23 As a young engineer I am, however,
24 sometimes frustrated with the safety issues in early
25 generation reactors and I work hard to make sure that

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1 these reactors generating electricity for us are
2 running like new, that their components are replaced,
3 and that we can trust them.

4 We have learned over time that humans
5 aren't infallible and I am part of a new generation
6 of engineers that is working hard to make sure that
7 reactors rely on the laws of gravity and natural laws
8 that can fail and moving nuclear to a purely safety
9 age. But these reactors, generation 1 and 2 and 3
10 were built in technologies from the '50s, '60s, and
11 '70s. And computers of that age look ancient now.
12 The technology for nuclear has not stayed the same
13 either. We have new technology we are working hard
14 to implement and getting it through the regulatory
15 hurdles. And I do think that it is going to present
16 a baseload and reliable form of cleaner energy for a
17 future that we really need.

18 I chose to be nuclear engineer because I
19 am a climate change advocate and I am realistic about
20 the 21st century economy that we have, about how we
21 are going to implement the changes that we need. And
22 as James Hansen and the top climate change scientists
23 have said, we need nuclear in order to make a
24 transition before the real damage from CO₂ feedback
25 emissions happens, the irreparable damage that we

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1 will get from emissions going too high and in 2011,
2 we know they jumped by three percent.

3 So to conclude, I would like to thank
4 the Commission for allowing me to speak today, to be
5 part of the generation that is taking climate change
6 seriously with engineering. And I support the Rule
7 and I think it does a very good and bounding job in
8 addressing the issue at hand. Thank you.

9 MR. CAMERON: Okay, thank you. Thank
10 you, Diego. And this is Allison Fisher who is going
11 to talk to us now. And then we are going to go to
12 the phones and then we will come back to the room.

13 MS. FISHER: Thank you. As Chip said,
14 my name is Allison Fisher. I am the outreach
15 director for Public Citizen's Energy Program. Public
16 Citizen, if you are not familiar, it is a consumer
17 advocacy non-profit organization representing
18 citizens all over the country. We have been a
19 watchdog of the nuclear industry and its regulators
20 for over 40 years. And we welcome the opportunity to
21 comment on the NRC's Waste Confidence draft Generic
22 Environmental Impact Statement and the corresponding
23 Proposed Rule.

24 In addition to our abbreviated oral
25 comments today, we will be submitting written

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1 comments as well in the near future.

2 In short, we believe that the
3 environmental analysis represented by the draft GEIS
4 and ordered by the Court of Appeals in New York last
5 year is woefully inadequate. It is not in the spirit
6 of what the Court intended. And it certainly is not
7 fulfilling the purpose of the National Environmental
8 Policy Act. And therefore, it doesn't provide a
9 sufficient basis for eliminating consideration of
10 nuclear waste disposal and storage impacts from
11 reactor licensing proceedings.

12 Due to time, I am just going to zero in,
13 or focus, on a few of our main concerns. As I said,
14 the intent of the Court order was for the NRC to
15 conduct a comprehensive analysis of the impacts of
16 storing spent fuel onsite at nuclear plants
17 indefinitely. The NRC has not done this. They have
18 not provided a complete analysis but rather are
19 assuming that spent fuel would be safely managed for
20 an indefinite period of time. For example, the study
21 assumes waste will not leak radioactivity because the
22 fuel will be safely managed essentially forever,
23 including the assumption that waste will be
24 transferred into new storage casks every 100 years.
25 This is a tough assumption to justify and it is a

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1 very bold assertion about the functionality of this
2 Agency over the next 100 years and more.

3 The study failed to fully consider the
4 vulnerability of high-density spent fuel storage
5 pools to catastrophic fire or the risks of undetected
6 leakage from pools and other reactor components. The
7 GEIS must include a full examination of these risks.
8 This is what the Court intended and that is what is
9 required for the EIS to be in compliance with NEPA.

10 Absent a legitimate GEIS that fully
11 evaluates the environmental impacts of failing to
12 secure permanent spent fuel disposal, the NRC must
13 not exclude consideration of the environmental
14 impacts of nuclear waste from individual license
15 proceedings in the future moving forward.

16 Just lastly, I also want to take
17 opportunity remind the Agency, the NRC, that a large
18 coalition of national, state, and local groups and
19 organizations have been calling on this Agency for
20 years to mandate the expedient transfer of spent fuel
21 from overcrowded pools to hardened onsite storage,
22 where this country's stockpile of lethal waste can be
23 monitored until a permanent disposal solution is
24 determined.

25 I will just call on you again to

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1 consider taking action on this reasonable safeguard.
2 And thank you again for your time and consideration.

3 MR. CAMERON: Thank you. Thank you,
4 Allison.

5 Okay, Mary, we are going to try Lorraine
6 Ruppe, Chuck McCune, and Gail Snyder, if you could
7 try to get us Lorraine.

8 OPERATOR: Lorraine, your line is open.

9 MS. RUPPE: Okay, thank you. Hi, my
10 name is Lorraine and I am from Pottstown,
11 Pennsylvania. Jane from Phoenixville, Pennsylvania
12 spoke a little while ago and she actually covered
13 most of my facts and comments that I wanted to
14 contribute. I live about two miles from Limerick
15 Nuclear Plant. So, it has been in my backyard for
16 many, many years and I have seen many cancer cases
17 and other things that I have learned through the
18 years.

19 But it is hard to believe that anyone
20 would claim that nuclear power is needed to slow
21 global warming, which there was an article in the
22 Associated Press in the Mercury in our town in the
23 beginning of November.

24 But anyway, the nuclear cycle
25 contributes to global warming and power from nuclear

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1 plants is vulnerable to the consequences of global
2 warming, such as more intense droughts, floods,
3 earthquakes. So how anyone in their right mind could
4 continue to promote nuclear power as safe and could
5 promote building more nuclear plants is just beyond
6 my comprehension. I mean denial can be a wonderful
7 thing but I just think this is total insanity.

8 Nuclear power has caused continued
9 massive destruction in the past and it is still
10 continuing today. And by the looks of it, it always
11 will. There is no safe solution for radioactive fuel
12 rods. They can remain radioactive for a million
13 years the EPA states. So, I just believe nuclear
14 power is dirty and deadly from cradle to the grave.

15 Now, Fukushima has been spewing tons of
16 radioactive water into the ocean continually for the
17 past two years. Future generations of every form of
18 life is in jeopardy now. So please, no more
19 relicensing or no new nukes.

20 Now, to get back to Limerick, the
21 Limerick Nuke Plant has an earthquake fault line
22 directly under it, which is called the Sanatoga fault
23 line and there are four others within 17 miles. I,
24 well, started researching these to see if there were
25 any earthquake fault lines and I received a map but I

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1 didn't receive the Sanatoga fault line that was
2 directly under it. That was missing from the map I
3 was given by the NRC. Hmm, so I don't know what that
4 was all about.

5 But anyway, Limerick has miles of
6 underground pipes and that really worries my family
7 and friends. They have taken so much water from the
8 Schuylkill River, which is our bathing water and we
9 drink it. Now, it is contaminated with mine water
10 from Wadesville Mine. They are pumping in massive
11 amounts of it. They use millions of gallons a day,
12 more than three times a day just to make that power
13 plant work. Pretty soon, there is not going to be
14 any water left.

15 So anyway, those are the things I am all
16 concerned about. And like I said, Jane really
17 commented on a lot of things. And I just think we
18 need to change to renewables. The other countries
19 are doing it, China, India, Germany, Japan, they are
20 now generating more power from renewables than
21 nuclear, according to the nuclearreport.org. So this
22 is what we need as soon as possible.

23 Thank you.

24 MR. CAMERON: Thank you. Thank you very
25 much, Lorraine.

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1 And Mary, is Chuck McCune on the phone?

2 OPERATOR: Yes, Chuck, your line is
3 open.

4 MR. McCUNE: Can you hear me?

5 MR. CAMERON: Yes. Go ahead, Chuck.
6 And take your phone off of mute. That might be part
7 of the problem. I don't know.

8 Mary, do you have any idea what the
9 problem is with Chuck's line?

10 MR. McCUNE: Hello? Hello, can you hear
11 me?

12 MR. CAMERON: Yes, we can.

13 MR. McCUNE: Oh, okay. Thank you very
14 much. I am the Executive Director of Prizm
15 Foundation, P-R-I-Z-M Foundation in Albuquerque, New
16 Mexico and we are a disaster-relief preparedness and
17 mitigation organization. We have experience with
18 lots of disasters over the last 25 years, including
19 Haiti and Katrina, Hurricane Irene. I was in
20 Thailand for the tsunami. FEMA has stated that they
21 are not ready for any kind of -- stated to me they
22 are not ready for the "big one." The big one meaning
23 the New Madrid Fault. We have 23 reactors there.

24 But the purpose of my call today is that
25 we have three major, separate regulatory processes

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1 going on, Waste Confidence, the Senate Bill S.1240,
2 and foreign ownership of reactors, each with an
3 overarching implicit angle of infusing money into the
4 private treasuries of energy companies, deliberately
5 isolating our comments and questions and objections
6 within each, so as not to apply what would be taken
7 in total for the overall issue of whether we should
8 be even considering continuing with this technology.

9 I have brought up in prior hearings that
10 this industry seems to be out of money. If you
11 approve Waste Confidence, then potentially S.1240
12 will open up the quasi-government corporate use of
13 the waste funds, giving it back to the companies to
14 handle the waste and decommissioning. And then that
15 won't be enough so we will need foreign investment in
16 these reactors.

17 If San Onofre, and now Vermont Yankee,
18 doesn't tell us that this industry is short on money,
19 they are ten percent or more short on the
20 decommissioning of SONGS, then I am asking formally
21 now in this hearing that the NRC, as provided in
22 Section 10 CFR 50.33(f)(4) that the NRC seek
23 additional information on licensees' financial
24 qualifications if the Agency considers such
25 information appropriate. We think at the present

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1 time that this information is appropriate. If I were
2 going to go to my bank as a business man and say to
3 them "loan me some money, give me some money, invest
4 in me, and by the way, here is my 20-year-old or 30-
5 year-old financials for you to analyze," I wouldn't
6 get a cent. This industry doesn't need to get a cent
7 either because they can't prove they are even
8 financially viable.

9 Second, I would like the NRC to actually
10 look at the cost of this waste handling not 10, 50,
11 even 100 years down the road. Let's have an in-depth
12 analysis of the cost at 50,000 years. Let's not even
13 go out to the life of the waste. Let's look at
14 50,000 years. But 65,000 years is actually how long
15 this present human family has been on the face of
16 this earth. We have a government installed now that
17 has only been existence for 400, a colonization of
18 this country that has only been in existence for 400
19 years. How can you folks be thinking that you can
20 understand the cost of this 50,000 years from now?
21 Under what monetary system? What government? What
22 method? Where? How? What maintenance system? We
23 are being sold a technology that we have now way of
24 knowing what is going to cost us.

25 So please, consider these finances. I

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1 am also formally entering my objection to these three
2 separate regulatory processes going on, Waste
3 Confidence, S.1240 with the Nuclear Waste
4 Administration being created, and foreign ownership
5 of reactors. This industry is broke and now they are
6 panhandling out in the taxpayer base and in the world
7 global economy to continue sucking the money out of
8 these economies for a technology that we cannot even
9 conceive of how much it is going to cost.

10 Do I have any time left?

11 MR. CAMERON: Thank you, Chuck.

12 MR. McCUNE: Is there any more time left
13 on my comments?

14 MR. CAMERON: No. No, unfortunately,
15 but thank you for those comments.

16 MR. McCUNE: Okay, thank you.

17 MR. CAMERON: All right, Mary, Gail
18 Snyder.

19 OPERATOR: Gail, your line is open.

20 MS. SNYDER: Hi! Can you hear me?

21 MR. CAMERON: Yes.

22 MS. SNYDER: Hi, my name is Gail Snyder.
23 I serve on the Board of Nuclear Energy Information
24 Service. I am a resident of Illinois, the state with
25 the most stored radioactive nuclear energy waste and

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1 operating nuclear reactors of any state in the
2 country.

3 As nuclear energy has progressed through
4 the decades, each generation of enthusiastic nuclear
5 engineers and physicists have promised they would
6 solve the problem of nuclear waste. The problem has
7 not been solved yet. We keep producing more nuclear
8 waste, as well as new generations of young
9 enthusiastic nuclear engineers who both hope that
10 theirs will be the generation to solve the nuclear
11 waste problem.

12 Nuclear waste is not a sociopolitical
13 problem. It is a problem of science. I hope these
14 young engineers do solve the nuclear waste problem
15 and I hope they stop making more nuclear waste in the
16 interim and focus all their enthusiasm toward a
17 science-based solution and stop the double speak
18 about wanting to find a repository and wanting to
19 reprocess the nuclear fuel. A permanent deep,
20 geologic repository that is selected using the best
21 science possible is what is needed to protect us from
22 the over 70,000 tons of nuclear waste that already
23 exists in this country.

24 After the nuclear disaster in Fukushima
25 Japan, one of the arguments made that such a disaster

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1 couldn't happen here is that we were very unlikely to
2 have a tsunami at most nuclear reactors in the USA.
3 Statements like we won't have a tsunami in Illinois
4 were being made by those defending the nuclear energy
5 industry.

6 Then the Mississippi River flooded and
7 the Fort Calhoun Nuclear Facility was overwhelmed by
8 water. It remains shut down to this day. Concerns
9 of the failure of a dam upstream would break and
10 finish off the facility were real and we were all
11 lucky it didn't happen.

12 The NRC did a study on the possibility
13 of dam failures impacting nuclear facilities and it
14 took an NRC whistleblower to reveal that the NRC
15 covered up information that showed the vulnerability
16 of nuclear facilities across the country to dam
17 failures. The NRC's own reliability and risk
18 engineer claimed, as reported in the *Huffington Post*
19 article, that NRC officials falsely invoked security
20 concerns in redacting large portions of the report
21 detailing the Agency's preliminary investigation into
22 the potential for dangerous and damaging flooding at
23 U.S. nuclear power facilities due to upstream dam
24 failure.

25 Then joined by another NRC engineer,

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1 they suggested that the real motive for redacting
2 certain information was to prevent the public from
3 learning the full extent of these vulnerabilities and
4 to obscure just how much the NRC has known about the
5 problem and for how long.

6 This is the behavior of the Nuclear
7 Regulatory Commission. This is who we are supposed
8 to have confidence in to allow nuclear waste to be
9 stored onsite indefinitely at nuclear facilities
10 around the country. I do not have confidence in the
11 Nuclear Regulatory Commission or their draft Generic
12 Environmental Impact Statement and the accompanying
13 Rule.

14 Thank you.

15 MR. CAMERON: Okay, thank you. Thank
16 you, Gail.

17 And could we have Steve Sondheim, Mary?

18 OPERATOR: Steve, your line is open.

19 MR. SONDHEIM: Thank you. Can you hear
20 me?

21 MR. CAMERON: Yes.

22 MR. SONDHEIM: Yes, hi. I am Steven
23 Sondheim. I am from Memphis, Tennessee. I am in the
24 Sierra Club. I am on the Nuclear Free Campaign.

25 I essentially want to make three

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1 comments. And one is that the young man, the
2 engineer, and the man from NEIS made comments about
3 us trusting them and them learning to find a
4 solution, which it is obvious there is not a solution
5 yet and there has never been one. And I don't think
6 we should base Waste Confidence on a possible
7 learning curve to find out one. In fact, I'm sure we
8 shouldn't.

9 The second thing is that I have been
10 looking at the coal ash problem around the country
11 lately. For 100 years, we have had a coal ash, a
12 coal waste problem. It is not like radioactive waste
13 but it has its dangers. It has its health problems.
14 And the coal industry has not taken full
15 responsibility for it. They have dumped it in pools,
16 in piles. There have been spills. They still don't
17 even have a way to handle that and they have reneged
18 on their responsibility to fully take care of it.

19 And I see a parallel or even worse
20 situation with nuclear waste. We have nothing that
21 can be done with it at the moment. We are piling it
22 up. We are busting at the seams, especially in the
23 pools. There is no way we should have any Waste
24 Confidence until we know exactly what we are going to
25 do with it. So, I think a generic decision should be

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1 no waste confidence.

2 And the last point I want to make is
3 that there are so many different kinds of plants,
4 there is plants with pools in the air, there is
5 plants of different designs, there are plants near
6 earthquake faults, near water. There is no way not
7 to have to look at each situation when it comes
8 around in order to judge things.

9 Okay, thank you very much.

10 MR. CAMERON: Very concise, Steve, thank
11 you.

12 Doug, Doug Gerleman.

13 OPERATOR: Doug, your line is open.

14 MR. GERLEMAN: Yes, thank you very much.

15 Yes, I am Doug Gerleman from Northbrook,
16 Illinois. It is a suburb of Chicago. And I am
17 calling because I do live in a nuclear-surrounded
18 city. So, I am very concerned about that. It is
19 nice to have confidence that we don't have any
20 problems, but I don't share that confidence. It
21 seems rather absurd to me because I am hearing
22 forecasts that we could go into wind and into water
23 and solar and replace not only nuclear but fossil
24 fuel, too. If we just put in like ten percent of the
25 investment that we have put in already in the nuclear

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1 power, we might have something that is really
2 sustainable.

3 I am also very concerned about the
4 amount of water that is being used to cool these
5 nuclear reactors. We are in a period of heavy
6 drought and they have had to shut down nuclear
7 reactors because of too little water as well as too
8 much water. It requires water. Guys, come on, let's
9 be real about this. Let's try to make something that
10 will be sustainable for our kids and grandkids.

11 So, those are my concerns. It just
12 makes no sense to continue throwing so much taxpayer
13 money into the nuclear industry when it is not the
14 wave of the future. Thank you.

15 MR. CAMERON: Okay, thank you, Doug.

16 And let's try Mark, Mark Leyse.

17 MR. LEYSE: Yes, hello.

18 MR. CAMERON: Hi.

19 MR. LEYSE: Can you hear me?

20 MR. CAMERON: Yes.

21 MR. LEYSE: Oh, great. Okay. Yes,
22 thank you so much. Yes, I would just like to provide
23 one example regarding issues of spent fuel storage.
24 And this is an example of current unsafe conditions
25 in Indian Point Unit 2's spent fuel pool.

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1 So, just some background. In an NRC
2 meeting in September 2013 regarding Japan Lessons
3 Learned Project, Rod McCullum of the Nuclear Energy
4 Institute stated, "We understand in the industry we
5 can no longer rely on boroflex." Boroflex is a
6 neutron absorber which is intended to help prevent
7 criticality accidents and it is located in spent fuel
8 racks. Boroflex has a documented history of
9 degrading. Nonetheless, it is still used in a number
10 of spent fuel pools, including Indian Point Unit 2's
11 spent fuel pool. And there is a document from 2002
12 that says that the high-density storage racks in
13 Region 1-2 of the Indian Point Unit 2 spent fuel pool
14 were "assumed to have sustained a 50 percent loss of
15 boroflex." That is due to degradation. That can be
16 found in your ADAMS database at ML021230367. So,
17 that is back in 2002.

18 However, that is actually based on a
19 criticality analysis that was done in September 20,
20 2001 because there is an NRC letter regarding Indian
21 Point Unit 2 that is from that September 24, 2013.
22 And that letter says that the current criticality
23 analysis of record, which takes credit for boroflex
24 insert as neutron absorbers was submitted back in
25 2001. And then it also notes that subsequent

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1 operating experience has demonstrated the non-uniform
2 physical degradation of boroflex inserts. Now, that
3 is in ADAMS database at ML13256A086.

4 So, basically back in 2001 your current
5 analysis of record for criticality concerns, that
6 assumed a sustained loss of 50 percent of boroflex
7 that was in the Region 1-2 part of the spent fuel
8 pool. So, how much boroflex is left now, 12 years
9 later?

10 Apparently, there was a criticality
11 analysis that was supposed to come out in November of
12 this year. I'm not sure if that has been released
13 yet. But basically, there was assumed that there was
14 a loss at that time, 12 years ago. And even Entergy,
15 the licensee of Indian Point, even they have
16 acknowledged that the current, at least the one from
17 2001 was non-conservative.

18 So, I mean this is just one little
19 example of a myriad of other problems that are going
20 on with spent fuel pools and I just wanted to cite it
21 just to give some concrete evidence. This is Indian
22 Point.

23 MR. CAMERON: Thank you for providing
24 that example. Thank you very much.

25 We are going to go to one more person on

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1 the phone and then we have three people in the room.
2 And then we will check and see if anybody else is on
3 the phone.

4 And this is Ace. Ace, are you with us?

5 MR. HOFFMAN: Yes, hello.

6 MR. CAMERON: Hello, Ace.

7 MR. HOFFMAN: Yes, can you hear me?

8 MR. CAMERON: Yes, we can hear you.

9 MR. HOFFMAN: Okay, thank you for taking
10 my call. Earlier we heard the NRC say that there is
11 a really brief history of Waste Confidence. And the
12 really brief history of Waste Confidence is 65 years
13 of failure. And there is no feasible safe storage.
14 And I am talking about something that is going to
15 survive today's environment. There is not a policy
16 decision either that is scientific fact because
17 ionization destroys any containment.

18 The containment, as we have just heard
19 from the last speaker, are degrading. Those
20 containments are financially ridiculous. All
21 containments, even if they were made of gold, they
22 would be inadequate for the lengths of time we are
23 trying to keep this stuff. Hence, the decision that
24 a geological repository is necessary because we
25 really don't have any confidence in any other

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1 solution.

2 And so Waste Confidence should not be,
3 as Paul initially stated earlier, "a small part of
4 the licensing procedure." Instead, it should be a
5 pass/fail. And so far, they have failed. You can't
6 build a house without a sewer. The house would be
7 unlivable soon, the quote from some nuclear physicist
8 in Japan after Fukushima.

9 And that is where we are right now. We
10 have got 100 reactors producing waste and we are down
11 four this year with nowhere to put it. Four isn't
12 good enough; 25 years it would take to close all the
13 other 100, if we are going to close them at the rate
14 of four a year. So, I think we are going to have to
15 do better than that. I think just corrosion and old
16 age is going to cause us -- these things to be closed
17 down at a more rapid pace in the future.

18 And furthermore, the idea that this is a
19 Generic EIS. Every reactor is located in vastly
20 different -- they are vastly different from each
21 other. I mean the San Onofre reactors are so
22 different they put one in backwards because they
23 didn't realize that the two reactors were opposite.
24 One of them failed and they never really did figure
25 out what was different about the other one.

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1 Populations are different. Egresses are different,
2 the transportation, the roads, and so forth. The
3 seismic situation, the tornado, the earthquake, the
4 size of the airplanes. There might be slightly
5 different reactors. The size of airplanes that were
6 expected when the reactors were built versus what
7 they are flying now, the viciousness of the
8 terrorists. These are all things that have changed.
9 Our own viciousness as soldiers when we go out and
10 fight.

11 The real effect of a generic EIS is to
12 inhibit later on public discussion because that is
13 what is decided in a generic EIS. We can't revisit
14 it. And yet, we are talking about indefinite
15 storage. I would say that indefinite is a terrible
16 word to use with a generic EIS.

17 Honestly, I think that the whole process
18 is pathetic because the state-of-the-art of high
19 burn-up fuel knowledge is practically zero. Despite
20 the claims that we have been hearing to the contrary,
21 every zirconium fitting is different and maybe one
22 has been tested. And nothing has been tested for
23 very long. The testing just simply hasn't been done.
24 We are talking about engineers who cannot, in 65
25 years, they haven't been able to solve the transit

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1 problems that occurred in Fukushima. And now, two
2 years later, we are still nowhere near a good
3 solution to that. There are gingerly trying to move
4 the fuel.

5 The perfect complement to future
6 renewables is energy storage systems. And we don't
7 need nuclear power as an interim for climate change,
8 any more than we need interim storage solutions for
9 nuclear waste. What we need are permanent storage
10 solutions because right now at the beginning of the
11 nuclear waste problem, the fuel is thousands of times
12 more dangerous. It is also a lot harder to get at,
13 as someone else pointed out. By the time the fuel
14 starts to be not so dangerous to get near, it becomes
15 a proliferation threat. So, at all times, it is not
16 a good idea to have anything to do with this stuff.

17 MR. CAMERON: Ace, I am going to have to
18 ask you to close now so that we can go on to other
19 people, but thank you. Thank you for your comments.

20 MR. HOFFMAN: All right. Let me have
21 one sentence, which is, what we need is a permanent
22 solution to permanently close nuclear power plants.
23 And we can't come up with any other solutions
24 anywhere, so close them all.

25 Thank you very much.

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1 MR. CAMERON: Okay, thank you. Thank
2 you, Ace.

3 MR. HOFFMAN: You're welcome.

4 MR. CAMERON: And we are going to go to
5 three people in the room. I think these are our
6 final speakers here. And we have more on the phone.
7 And I just remind everybody to hit *1 if they want to
8 talk.

9 But we are going to go to Dagmar, Dagmar
10 Fabihn. Then we are going to go to Mary Brooke
11 Sunderland and then to Kevin, Kevin Kamps.

12 And this is Dagmar.

13 MS. FABIHN: Dagmar Fabihn for Crabshell
14 Alliance of Greater Baltimore, Maryland.

15 I keep hearing that we will be
16 transporting our waste to a permanent site. Of
17 course you all know that no such site has been
18 identified. We all know that Yucca Mountain has been
19 closed. So what is the idea of transporting masses
20 of waste on our roads, leading through communities,
21 having the risk of accidents? It is undoable. This
22 is not a solution.

23 I am also very surprised that nobody has
24 apparently studied the book by Dr. Arjun Makhijani
25 who laid out for us a path to nuclear free, carbon-

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1 free future. I recommend you all read it. Then we
2 don't need to worry about more expansion of nuclear
3 power. We go to wind and other energies that are
4 truly sustainable and do not endanger life. This is
5 the real goal.

6 And so, I have to repeat the storage in-
7 house study in transition, although best from those
8 that are offered. They cannot be transported because
9 most of them are not even licensed for transport.
10 So, everything has to be staying where they are now.
11 And consequently, forget about transport. That is
12 just insane.

13 What we want are new policies to
14 eventually close all those nuclear power plants down,
15 start with decommissioning. It is very costly, as we
16 all know. And then think of life beyond nuclear
17 power, as has been laid out many times and calculated
18 to be feasible. And there are plenty of states that
19 are existing without nuclear power. This will be our
20 goal and preserving life is the upper most goal.

21 Thank you.

22 MR. CAMERON: Thank you. Thank you,
23 Dagmar.

24 And Mary Brooke. This is Mary Brooke
25 Sunderland.

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1 MS. SUNDERLAND: Hello. My name is
2 Mary Brooke Sunderland and I am representing myself.

3 I would like to say that I am wanting to
4 focus on the big picture. The point of having this
5 GEIS approved is to continue with the NRC licensing
6 process. And when we think about what has been
7 happening with nuclear power since its inception, I
8 think we can only look at all the close calls we have
9 had in this country and look at the accident in
10 Chernobyl and Fukushima and see how those accidents
11 have not only affected the nation when the accident
12 occurred, but how any nuclear accident is really a
13 worldwide problem.

14 I think we need to look at that and
15 apply the common sense that we all have inside and
16 say enough is enough. It is only by God's grace, God
17 helping the NRC to do its job to protect the U.S.
18 public from accidents. And we haven't had a major
19 disaster in this country. And if we keep testing
20 this, we will.

21 With climate change, there are
22 unforetold situations and circumstances that are
23 going to be arising. And weather events are getting
24 more and more extreme.

25 We have to take a step back and just

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1 look at this. It is not okay. It is not okay to
2 keep continuing with nuclear energy. We don't have a
3 safe place to store it. What kind of home or nation
4 or anything runs efficiently when we don't have a
5 place to clean up the waste? No city runs like that.
6 How can we expect a type of energy to run like that?
7 We can't. It is not okay.

8 We need to stop any possible new
9 licenses and we need to phase out nuclear energy with
10 all the plants when they become 40-years-old, they
11 need to be shut down.

12 Thank you so much for hearing this
13 comment.

14 MR. CAMERON: Thank you. Thank you,
15 Mary Brooke.

16 And Kevin? Kevin Kamps.

17 MR. KAMPS: Hello. I am Kevin Kamps,
18 radioactive waste specialist at Beyond Nuclear. And
19 I would like to take my three minutes to set a couple
20 three things straight on the record about some
21 misleading statements that NRC has made in this draft
22 Generic Environmental Impact Statement and at the
23 hearings that have taken place.

24 So, I would like to go back to a *New*
25 *York Times* article in February of 2010 about the

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1 lawsuit brought by several states and several
2 environmental groups that led to the Court ruling in
3 June of 2012, that ordered NRC to undertake this EIS
4 proceeding.

5 And in that article, a top spokesman for
6 the Office of Public Affairs at NRC made the
7 statement that the Nuclear Waste Confidence Rule has
8 nothing to do with licensing at NRC. And this
9 statement, this idea has been carried into this
10 document itself at various places.

11 I would like to read from Section 7.3 on
12 page 78, just the first paragraph. And I quote: "In
13 the proposed action, the NRC implements a regulatory
14 approach that includes an update to the Waste
15 Confidence Rule, 10 CFR 51.23, that codifies the
16 results of this draft GEIS. The update would clarify
17 that. Because the impacts of continued storage have
18 been generically assessed in the GEIs and codified in
19 a Rule, the NEPA analyses for future reactor and
20 spent fuel storage facility licensing actions would
21 not need to independently consider the environmental
22 impacts of continued storage. The Rule also serves
23 to preclude any challenge to the NRC's assessment of
24 the environmental impacts of continued storage in the
25 site-specific licensing action. Unless a petitioner

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1 can show that sufficient 'special circumstances'
2 exist to justify waiving 10 CFR 51.23 in a particular
3 proceeding." And they cite 10 CFR 2.335. And I end
4 quote.

5 So, the statement that has been made is
6 that this Nuclear Waste Confidence Rule has nothing
7 to do with licensing new reactors or extending the
8 licenses of old reactors. And this is very
9 misleading. This is deceptive. In fact, the Nuclear
10 Waste Confidence Rule lays the basis for that
11 licensing. As I just quoted, it would bar public
12 intervention in the future. It would lock the public
13 out as much as we have been locked out for decades on
14 raising the issue of high-level radioactive waste
15 generation in licensing proceedings. And I can
16 personally attest to that from the license extension
17 proceeding at Palisades in Michigan where we raised
18 this issue, as well as the new reactor licensing
19 proceeding at Fermi 3. This absolutely has to do
20 with licensing. It lays the groundwork. It greases
21 the skids.

22 So, NRC statements to the contrary in
23 this document, at these public hearings, are quite
24 misleading, actually.

25 And I wanted to correct something from

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1 two nights ago in Chicago. A question was asked
2 before the public comment period began and Keith
3 McConnell answered it but incompletely.
4 Significantly incompletely, when you said that this
5 document and this proceeding has to do with at-
6 reactor storage, or perhaps you used the term onsite
7 storage.

8 Yes, that is true there is an entire
9 chapter about at-reactor onsite storage in this
10 document. There is another complete separate chapter
11 about away-from-reactor storage. And of course when
12 you have away-from-reactor storage, that brings up
13 the issue of transportation, which is also covered
14 inadequately, very shallowly in this document.

15 And of course, the Court ruled and
16 ordered the NRC to deal with the repository issue,
17 the lack of a repository or the presence of a
18 repository.

19 And so, this document has to do with all
20 of those things, not just onsite storage.

21 And I guess I will just conclude by
22 sharing that the first time I heard about Nuclear
23 Waste Confidence, the phrase, was at Clinton,
24 Illinois at the early site permit public meeting in
25 March of 2003. And a farmer whose name I don't know

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1 in the front row asked the NRC that night how can you
2 talk about building a new reactor. You haven't dealt
3 with the waste at the old reactor here. And several
4 NRC people punted to each other, not knowing how to
5 answer this gentleman.

6 And finally, the facilitator of that
7 meeting had to intervene when the final NRC staffer
8 was about to punt the question to Exelon, who was in
9 the room, and reminded his colleagues from NRC that
10 there is this Nuclear Waste Confidence Rule and
11 Policy.

12 And I just wanted to hold up and I will
13 submit this for the record, something we had at
14 Chicago the other night that Nuclear Energy
15 Information Service generated. It shows Lucy and
16 Charlie Brown. Lucy is holding the football with a
17 radiation symbol on it and she has got an NRC jersey
18 on. And it says déjà vu all over again. And Lucy
19 says to Charlie Brown, who is the public, I have got
20 every confidence that we can dispose of this thing,
21 Charlie, really. Really.

22 So the real issue here is whether or not
23 to license new reactors, to extend the licenses of
24 old reactors, and the preferred alternative in this
25 EIS should be stop licensing reactors, stop making

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1 high-level radioactive waste, for which there is no
2 solution. Thank you.

3 MR. CAMERON: Thank you. Thank you,
4 Kevin.

5 Mary, do we have anybody? We have no
6 one.

7 OPERATOR: I'm showing no further
8 questions on the phone lines, sir.

9 MR. CAMERON: Okay. And I think we have
10 covered everyone in the room. The meeting is going
11 to run until 5:00 but we are going to close off the
12 formal comment now. And I am going to ask Carrie to
13 close off but the staff will be here until at least
14 5:00. Carrie?

15 MS. SAFFORD: Thanks, Chip. And thanks
16 everyone for coming out today and participating. We
17 do appreciate hearing from you and everyone's diverse
18 views. And we appreciate your attendance and your
19 respect for all the speakers in the room today.

20 And we look forward to receiving any
21 further comments you might have. Thank you.

22 (Whereupon, at 4:43 p.m., the foregoing meeting was
23 adjourned.)

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